

**TOWN OF CONCORD  
SELECT BOARD MEETING  
DECEMBER 5, 2022 | 5:30 PM**

**TOWN HOUSE, 22 MONUMENT SQUARE  
SECOND FLOOR MEETING ROOM AND VIA ZOOM**

Join Zoom Meeting

<https://us02web.zoom.us/j/85307788960?pwd=ajNVWENOWEtDcStDenNVdERselaA4QT09>

Meeting ID: 853 0778 8960

Passcode: 698551

Dial In: (309) 205-3325

**AGENDA**

#	Time*	Agenda Item
1.	5:30 PM	<u>Executive Session</u> pursuant to G.L. c. 30A, § 21(a)(3) to discuss strategy with respect to litigation regarding Estabrook Road ( <i>Town of Concord v. Rasmussen et al.</i> ), as the chair declares that an open meeting may have a detrimental effect on the litigating position of the Town
2.	6:30 PM	Regular Session Call to Order
3.		Town Manager's Report
4.		Chair's Report
5.	6:45 PM	Joint Meeting with the School Committee to Discuss Tier 3 Capital Planning
6.	7:00 PM	Intergovernmental Agreement with Plymouth County
7.	7:05 PM	Joint Meeting with the Personnel Board to discuss the Personnel Study Task Force Final Report
8.	7:40 PM	Housing Production Plan Presentation
9.	8:10 PM	Vote Recommendations for Special Town Meeting Warrant Articles and Vote Recommendations for Special Town Meeting Consent Calendar for Special Town Meeting Scheduled on January 19, 2023
10.		Status Update on Annual Town Meeting Scheduled on April 30, 2023
11.	8:40 PM	Committee Nominations: <u>White Pond Task Force:</u> John Colman of 65 Central Street for a term to expire December 2023, upon completion of their final report to the Select Board  <u>Conservation Restriction Stewardship Committee:</u> Peter Blau of 135 Partridge Lane for a term to expire April 30, 2025
12.	8:45 PM	Committee Appointments: <u>Pollinator Advisory Committee:</u> Corrective Appointment for Stanley Lucks of 165 Indian Spring Road from June 1, 2020 through May 31, 2023  <u>Financial Audit Advisory Committee:</u> Corrective Appointment for Arthur Fulman of 64 Annursnac Hill Road for a second term from

		<p>April 30, 2021 through May 31, 2024</p> <p><u>Personnel Board:</u>          Corrective Appointment for William Mrachek of 64 Rollingwood Lane for a second term from April 30, 2021 through May 31, 2024 and Joe Emerick of 611 Old Bedford Road for a term to expire April 30, 2025</p> <p><u>White Pond Task Force:</u>          Elissa Brown of 5 Concord Greene, Unit 1 for a term to expire December 2023, upon completion of their final report to the Select Board</p>
13.	8:50 PM	Select Board Liaison Reports
14.	9:00 PM	Correspondence
15.	9:05 PM	Public Comment
16.	9:10 PM	Adjournment

*\*Times are approximate and subject to change*

<b>Current Board and Committee Vacancies</b>
Agricultural Committee – Associate Member
Board of Health
Cemetery Committee
Commission on Disability
Comprehensive Sustainability and Energy Committee
Concord 2025 Executive Committee
Concord Housing Development Corporation (CHDC)
Conservation Restriction Stewardship Committee
Council on Aging
Historic Districts Commission – Associate Member
PEG Access Advisory Committee
Personnel Board
Planning Board
Pollinator Health Advisory Committee
Public Ceremonies and Celebrations Committee
Transportation Advisory Committee
Trustees of Donations
West Concord Advisory Committee
West Concord Junction Cultural District
Zoning Board of Appeals – Associate Member



# TOWN OF CONCORD

*Office of the Town Manager*

## Operational Status Reports & Departmental Updates

*For the Week Ending December 2, 2022*

### Concord Municipal Light Plant

The team at the CMLP quickly addressed a power outage that happened because of the strong winds on Wednesday night. At about 8 p.m., a fallen tree snapped one of the overhead primary phases causing a power outage along Border Rd, High Pine Circle, and a small section of Hayward Mill Rd impacting over 50 households. Significant damage also occurred on the junction pole at Border Rd and Hayward Mill Rd. In order safely remove the tree the other two phases were denergized. Upon removal, the line crew made repairs to the overhead primary lines and temporary repairs on the junction pole. Power was restored at approximately 11 PM.



### Public Safety

#### Police Department

##### Activity Log November 17- November 30

Log items	1564
Traffic Enforcement	112
MVC investigated and/or paper exchanges	221
Motor Vehicle Stops	19
Arrests	5

#### Training/Professional Development

The departments fall firearms training and requalification was conducted.

#### Community

- On November 21<sup>st</sup>, Chief O'Connor, Lieutenants Kevin Monahan, Brian Goldman along with Fire Chief Tom Judge attended a joint meeting of the Lexington and Concord Rotary Clubs at Minuteman High School. The purpose of the luncheon was to recognize the football and cheering teams, coaches, and administrators. The captains of all the teams, coaches, and school administrators were in attendance. Reporter Steve Cooper was the keynote speaker and

provided great insight into how news is reported.



- November 24th Officers assisted with the Turkey Trot.
- On November 28th the Department's Honor Guard presented the colors during the national anthem prior to the Boston Celtics game at TD Garden. (Photos to be provided by the Celtics in the near future)
- November 29th the department shared Package Theft Prevention Tips During Holiday Season, we have already had one theft reported this season.  
<https://concordmapdnews.com/2022/11/29/concord-police-department-shares-package-theft-prevention-tips-during-holiday-season-2/>
- The Concord Police Relief Association raised two thousand dollars during the HomeBase/NoShave to support the Mass General Hospital's Homebase program which helps to treat the invisible wounds of war for Veterans, Service Members and Military Families. Officer Greg Mailloux represented the department at a ceremony held at Fenway Park on November 30th. Pictured with MBTA Transit Police Detective a U.S. Army Veteran and Purple Heart Recipient and Brigadier General (Ret.) Jack Hammond the Executive Director of the Home Base Program. So far, the fundraising initiative has raised over one hundred seventy-five thousand dollars.

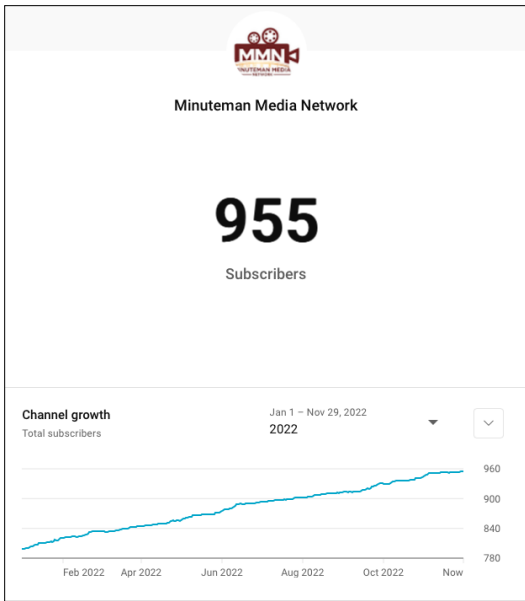


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## Minuteman Media Network

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The Minuteman Media Network is very pleased to report that they are nearing 1000 subscribers to the MMN YouTube channel. This is important because hitting 1,000 subscribers along with some other criteria provides a potential revenue stream and other benefits from posting videos.



Minuteman Media Networks YouTube subscriber volume compares very favorably with other PEG access subscribers.

Town	YouTube or web Page	Number	YouTube s
Bedford	<a href="https://www.youtube.com/@BedfordTv">https://www.youtube.com/@BedfordTv</a>	1	
Acton	<a href="https://www.youtube.com/@ActonTV1">https://www.youtube.com/@ActonTV1</a>	2	
Leominster	<a href="https://www.youtube.com/@LeominsterAccessTelevision">https://www.youtube.com/@LeominsterAccessTelevision</a>	3	
Lexington	<a href="https://www.youtube.com/@LexMediaTV">https://www.youtube.com/@LexMediaTV</a>	4	
Shrewsbury	<a href="https://www.youtube.com/@ShrewsburyMedia">https://www.youtube.com/@ShrewsburyMedia</a>	5	
Stow	<a href="https://www.youtube.com/@StowTVNow">https://www.youtube.com/@StowTVNow</a>	6	
Salem	<a href="https://www.youtube.com/@salemTV1">https://www.youtube.com/@salemTV1</a>	7	
<b>Concord - Carlisle</b>	<a href="https://www.youtube.com/@minutemanmedianetwork">https://www.youtube.com/@minutemanmedianetwork</a>	<b>8</b>	
Worcester	<a href="https://www.youtube.com/@cityofwoofficial">https://www.youtube.com/@cityofwoofficial</a>	9	
Fitchburg	<a href="https://www.youtube.com/@FitchburgTV">https://www.youtube.com/@FitchburgTV</a>	10	
Framingham	<a href="https://www.youtube.com/@AccessFramingham">https://www.youtube.com/@AccessFramingham</a>	11	
Wayland	<a href="https://www.youtube.com/@WayCAMTV">https://www.youtube.com/@WayCAMTV</a>	12	
Boston	<a href="https://www.boston.gov/departments/broadband-and-cable/city-television-programs">https://www.boston.gov/departments/broadband-and-cable/city-television-programs</a>		Does not u (
Cambridge	<a href="https://www.cctvcambridge.org">https://www.cctvcambridge.org</a>		Does not u (
Newton	<a href="https://newtv.org">https://newtv.org</a>		Does not u (
Harvard	<a href="https://www.youtube.com/@harvardcabletv">https://www.youtube.com/@harvardcabletv</a>		Does not u (

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## Facilities

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### Seasonal Maintenance

Facilities has been busy with seasonal clean up and maintenance; including fall leaf clean-up, annual fire alarm, sprinkler, and elevator inspections. In addition, several key repairs have been made to the hot water system at Harvey Wheeler and leaks at the Hunt Gym and Town House have been repaired.

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## Planning and Land Management

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### Planning

- **Planning Board November 29<sup>th</sup> meeting:** The Board voted (4 to 1) to recommend that the Board of Appeals grant the Special Permit with Site Plan Review under Sections 6.2.11 (Height), 7.2 (Floodplain Conservancy District), 7.7.2.8 (Reserved parking spaces), 7.7.2.12 (Relief from Parking), 11.6 (Special Permit), and 11.8.7 (Educational Site Plan) to construct a Centennial Arts Center, relocate and rehabilitate two existing dwellings (220 Main St. and Ides Cottage), convert existing attached garage at 238 Main St into a dwelling unit, and other associated site improvements at 166 Main Street (Parcel# 1706). The Board of Appeals will be discussing this application at the December 8 meeting.
- **Housing Production Plan (HPP):** Public comments received by November 30 are being incorporated into the next draft of the HPP, which will be posted on Friday, December 2<sup>nd</sup> and discussed by the Select Board at their December 5<sup>th</sup> meeting. Additional public comments continue to be accepted until Monday, December 5<sup>th</sup>.
- **Mass Cultural Council (MCC) grants submitted:** Concord's two cultural districts (Concord Center and West Concord Junction) submitted grant applications to MCC for \$15,000 each, which will provide funds for various projects in each of the cultural districts.
- **Bruce Freeman Rail Trail:** The City of Framingham has announced that the purchase of the 3.5-mile CSX rail corridor for the Framingham section of the BFRT has been finalized!
- **Transportation and Mobility:** The Concord Trolley pilot project ended November 13<sup>th</sup> with a total ridership of nearly 950 rides given for an average of about 50 per week over the course of the pilot which began in early July. The pilot project (\$100,000 provided through ARPA funding) provided valuable data and showed how people can travel to Concord's historic tourist destinations and economic centers without the need for a car. Through the four- month pilot there were more than 220 rides which began or ended at the MBTA Commuter Rail station in the Thoreau Depot. These are passengers who were not using cars which helps to relieve traffic, parking, and carbon emissions. We are thrilled with the success of the Concord Trolley pilot project and look forward with hope to continuation of the Concord Trolley in the future and are actively seeking funding.

### Economic Vitality & Tourism

- **Winter hours at the Visitor Center:** Visitor Center Public December Hours are Sat/Sun Dec 3 to 24 and December 26-31 from 10am to 4pm. During open dates, the Daily 1pm Tour will be offered as well as a selection of Specialty Tours such as Indigenous and African American Concord History. During the week of Dec 24 - 31 we will be offering a 10am family friendly Concord Tour.

- **Touring Concord:** During the month of November the Visitor Center staff led 18 private or specialty tours and the Daily 1pm tour for a total of 48 Tours in 30 days!
- **The Holidays are upon us!** The Economic Vitality & Tourism (EVT) division is working on several town-wide holiday events including the December 4 Tree Lighting and Parade where we will be giving out candy canes and a Concord Center Scavenger Hunt as well as promoting winter tours and holiday gift ideas. On December 21<sup>st</sup>, the EVT manager is the lead for the Town's Chanukah Celebration at Rideout Playground, which features partnerships with Congregation Kerem Shalom, Debra's Natural Gourmet, Concord Free Public Library Fowler Branch and Concord Recreation. These holiday events are both spirit and revenue boosting for the community.

### Building Inspections

- **An update on permits issued and inspections conducted:** Since November 17, the Building Inspections division staff has issued 39 building permits, 41 electrical permits and 38 plumbing and gas permits. We also conducted 76 building inspections, 59 electrical inspections and 53 plumbing and gas inspections.

### Health

- **Community Health issues:** There was a GI illness outbreak at one of the assisted living facilities in Concord. A DPH epidemiologist and the Public Health nurse have spoken on this matter and agree that the facility is compliant with all the correct actions/guidelines at this time.
- **Animal Inspections underway:** The Public Health Inspector, designated by the State as the Animal Inspector, is responsible for barn inspections. Barn inspections give a census of the domestic animal population and ensure that animals are in good health, are housed properly, and that ample food and water are supplied. Generally, barn inspections are done from October to December annually.
- **MAVEN update:** MAVEN is the system of record for Infectious Disease Surveillance to ensure complete and accurate case tracking and subsequent contact tracing. There were 36 confirmed cases of the Novel Coronavirus and 13 confirmed cases of influenza in Concord from November 1 to November 30.

**Town of Concord**  
**Town Manager' Office**  
*Memorandum*

**TO:** School Committee & Select Board

**FROM:** Kerry A. Lafleur, Town Manager

**SUBJ:** Capital Planning Forum #3

**DATE:** December 2, 2022

The third and final capital planning forum is scheduled for December 5, 2022. The main purpose of this session is to review any public input on the proposed plan for FY24 – 33. To date, no input has been received.

### **Background**

In late 2019, the Select Board appointed a Capital Planning Task Force to develop a process for town-wide capital planning. The Capital Planning Task Force issued a final report with recommendations to the Select Board in June 2021. The process recommended by the committee will be used annual to develop a 10-year capital plan, including all foreseeable Town and Concord Public School capital projects.

- [Capital Planning Task Force Final Report - June 2021](#)
- [Capital Planning Task Force Final Recommendations - June 2021](#)

### **FY24-33 Capital Improvement Plan, Tier III**

On an annual basis, the Town of Concord prepares a 10-year Capital Improvement Plan. The plan is meant to be inclusive of all anticipated capital projects, vehicles and equipment, divided into the following categories:

- Tier I (Small): expenditures of up to \$100,000
- Tier II (Medium): expenditures of more than \$100,000 but less than \$5,000,000
- Tier III (Large): expenditures of more than \$5,000,000, whether proposed as a single or phased project.

Tier I and Tier II capital is funded either through cash outlay or the issuance of debt within the Proposition 2 ½ Levy Limit. Tier III projects are anticipated to be funded through the issuance of debt outside of the Proposition 2 ½ Levy Limit. As such, these projects are subject to a voter-approved debt exclusion (ballot election) which results in an additional tax impact throughout the life of the associated bond issue.

### **Public Forum Schedule**

Following the recommendations by the Capital Planning Task Force, the Select Board will be implementing recurring capital planning forums into the Town's annual schedule. The following public forum schedule has been established for review of the draft FY24-33 Capital Improvement Plan, Tier III:

- September 27, 2022: School Committee & Select Board, Joint Capital Planning Forum
- November 10, 2022: Finance Committee Capital Planning Forum
- December 5, 2022: School Committee & Select Board, Joint Capital Planning Forum

# Town of Concord

## FY24 – 33 Capital Planning Process

### I. Introduction

On an annual basis, the Town of Concord prepares a 10-year Capital Improvement Plan. The plan is meant to be inclusive of all anticipated capital projects, vehicles and equipment, divided into the following categories:

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### II. Objectives

In preparing a 10-year Capital Improvement Plan, the Town seeks to follow a clearly defined and visible process, meeting the following objectives, in order to ensure that the community is aware of all long-term capital needs for both School and Town:

- Present findings from current Town and School building assessments and non-building infrastructure; and identifying strategic land parcels and buildings for potential municipal purchase and use;
- Evaluate competing needs using standard criteria specifically assessing the potential to improve operational efficiencies, elements related to climate change, vulnerability of capital assets and inclusion of stakeholders in the planning process; and (integrated decision making)
- Outline a proposed timetable for project sequencing and the estimated property tax impact of such plan.

### III. Process

The Tier I and Tier II Capital Process runs in conjunction with the Town's Annual Budget process which provides regular opportunity for public input. The Tier III Capital Process follows its own timetable, with its own set of deliverables. The Tier III Capital Process is as follows for development of the FY24 – 32 Plan:

- **Joint Meeting with School Committee and Select Board: September 27, 2022.** The Superintendent of Schools and Town Manager share information on proposed Tier III Capital Improvement Projects and receive feedback from each board.
- **Finance Committee Forum: November 10, 2022.** The Town Manager & Chief Financial Officer review the estimated property tax impact and sequencing of debt of the Tier III projects proposed in the FY24 – 33 Capital Planning period.
- **Joint Meeting with School Committee and Select Board: December 12, 2022.** The Superintendent of Schools and Town Manager present a final review of projects, projected property tax impact and public comment received. Based upon the results of this meeting, the FY24 – 33 Capital Improvement Plan is finalized.

IV. **Joint Meeting with School Committee and Select Board: September 27, 2022.**

The following presentation, “*Capital Planning Forum FY24 – 33*” was shared at a Joint Meeting of the School Committee and Select Board. While neither budgeting entity is currently planning for additional Tier Three Capital projects, the Town has identified the following as future needs, with supporting data extracted from the *Municipal Facilities Assessment & Master Plan, 2020*.

- Public Works Facility:
  - Building Footprint: 78,054 square feet
  - Parking Spaces: 137
  - Open Space: 442,750 square feet
  - Estimated Developable Site Area: 13.72 acres
  - Estimated Cost (2019): \$29.9 – 46.2M
  - Next Step: complete feasibility study/ master plan; \$150,000 funded (2014)
- Public Safety Complex:
  - Building Footprint: 23,142
  - Parking Spaces: 129
  - Open Space Required: 271,823 square feet
  - Estimated Developable Site Area: 8.42 acres
  - Estimated Cost (2019): \$25.1M
  - Next Step: complete feasibility study/ master plan; \$200,000 planned as FY25 Tier Two project
- Renovation of Walden Street Complex:
  - Estimated cost depends upon reuse plan
  - On hold until determination is made about other priorities

There is an expectation that the Town will begin planning for these improvements in earnest once the Middle School Building construction project is underway.

Additionally, the Town has identified the following annually recurring need that meets the definition of Tier III Capital

- Public Works Infrastructure:
  - Annually recurring need
  - Inclusive of pavement management, parking lot rehabilitation, culvert & bridge repairs, stormwater management, traffic/ transportation, bike and pedestrian improvements
  - Need is \$3.5 – 7.8M per year
  - Current allocation is about \$2M per year, or about 40% of total existing Tier Two CIP spending
  - Options:
    - Allocate more of Tier Two spending to public works infrastructure
    - Increase amount available by either shifting some Tier Two spending to Tier One or raise Tier Two spending total which requires a policy adjustment

For the foreseeable future, the Town will plan to allocate a higher percentage of its total Tier II CIP budget to Public Works Infrastructure. This practice will be reviewed annually to assess efficacy.

The public comment period on the FY24 – 33 Capital Improvement Plan, Tier III is now open. Please submit your comments on or before Wednesday, November 30, 2022 to:

- Email to: [tmo@concordma.gov](mailto:tmo@concordma.gov)
- Or mail to: Town Manager’s Office, 22 Monument Square, Concord, MA 01742

For more information, please visit: <https://concordma.gov/2895/Capital-Planning>

**Tier Three Capital Project Calculator**

The purpose of this calculator is to estimate the total tax impact as a result of a large capital project.

- The tax rate impact per thousand dollars of project cost is \$0.0117
- FY23 tax rates have not been certified, so a total tax bill cannot be estimated.
- This is based on a 5% interest rate and 20-year level debt/level repayment schedule.

Enter the cost of the project ⓘ

\$ 1,000,000

Increase in annual tax bill

**\$ 11.70**

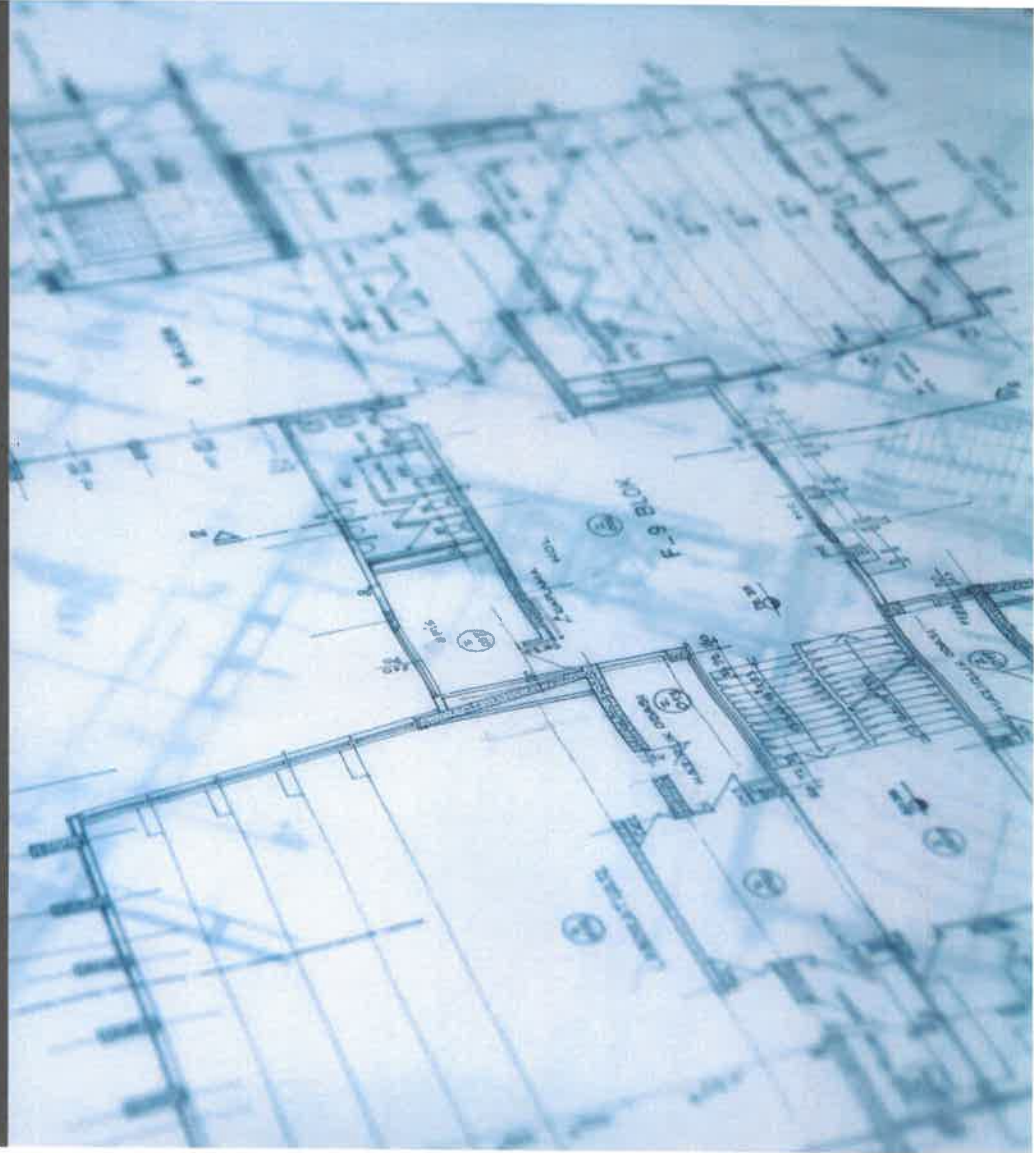


# Capital Planning Forum FY24 - 33

September 27, 2022

Laurie Hunter, Superintendent of Schools

Kerry A. Lafleur, Town Manager



# Process & Timetable for Tier III Capital Projects

- Development of a 10-year plan including both Town & School projects
  - Annual process involving integrated decision making
  - Use of standard evaluation criteria
  - Debt template, summarizing proposed sequencing & estimated tax impact
  - Interactive Tax Impact Calculator on website
  - <https://www.calconic.com/calculator-widgets/school-cost/619d534499577200212f9598?layouts=true>
- Opportunity for citizen comment on plan
  - **September (9/27)**: Joint Meeting, Select Board & School Committee; draft plan is presented; 45-day public comment period
  - **November (11/10)**: FinCom Forum, revised plan presented; meeting focus on long-range tax impact, smoothing debt curve
  - **December (12/12)**: Joint Meeting, Select Board & School Committee; final plan presented

# Concord Public Schools/ CCRSD

- No Tier III projects under consideration for FY24 - 33

# Town: Municipal Facilities Assessment & Master Plan, 2020

- TBA Architects commissioned by Town to assess existing condition of municipal buildings on 14 sites
  - Survey each buildings' use & space to improve efficiency
  - Investigate potential to expand existing facilities and to consider new construction scenarios at existing and conceptual new sites
  - In all, 18 buildings across town were reviewed, totaling approximately 240,000 square feet, housing 35 departments and operations with approximately 260 FTE's
  - Drafted as-builts for all 18 buildings which is the basis for our existing facilities database

# Town: Municipal Facilities Assessment & Master Plan, 2020

- Scenario Development
  - Scenario A: no relocation
    - Quantify internal maintenance costs (\$7.6M)
    - Estimate cost to make internal modifications to provide 10-year life (\$6.6M)
  - Scenario B: no relocation
    - Estimates to renovate for long-term usage (+10 years) (\$66M)
  - Scenario C: reconfiguration and relocation options
    - Streamlined configuration of departments meeting each department's programmatic needs
    - Identification of conceptual costs
- Agreement that CMS project was highest priority
- Further exploration of Town Capital placed on hold pending decision on CMS
- Presentation:  
<https://concordma.gov/DocumentCenter/View/21194/Town-Wide-Facilities-Assessment--Master-Plan?bidId=>

# Town Priorities

- **Priority One A:** Public Works Facility
- **Priority One B:** Public Safety Complex
- **Priority Three:** Walden Street Complex Renovations
  
- **Annually Recurring Need:**  
maintenance of public works, \$3.5  
– 7.8M per year

# Priority One A: Public Works Facility/ Keyes Road Campus

- Current configuration of buildings & site layout is not conducive to program requirements
- Site is not properly secured; lacks fencing
- Existing site has limited growth potential due to floodplain
- Inadequate covered storage for vehicles, equipment & materials
- Inadequate office space; existing structures need repair
- Existing structures built between 1903 – 1950's





## Space Needs for Operations

- Estimated Cost (in 2019 \$):
  - At existing location: \$29.9M
  - At new location: \$46.2M
- **Next Step:** complete feasibility study/ master plan
- \$150,000 funded in 2014
- phased redevelopment to move project forward

Space Needs:	Public Works
Building Area	21,689 sq. ft.
Garage	65,040 sq. ft.
Building Footprint	78,054 sq. ft.
Parking Spaces	137
Parking Area	54,935 sq.ft.
Drives/ Access Lanes	21,974 sq. ft.
Open Space Required	442,750 sq. ft.
Estimated Developable Site Area	13.72 acres
Existing Site Area	9.75 acres

## Priority One B: Public Safety Complex

- Existing facility is too small by 1/3 in net square footage
- Existing site can accommodate only about 25% of gross space needs
- Significant health & safety issues
- Building constructed in 1961

<b>Space Needs:</b>	<b>Public Safety</b>
Building Area	38,570 sq. ft.
Building Footprint	23,142 sq. ft.
Parking Spaces	129
Parking Area	51,426 sq. ft.
Drives/ Access Lanes	20,570 sq. ft.
Open Space Required	271,823 sq. ft.
Estimated Developable Site Area	8.42 acres
Existing Site Area	1.59 acres

# Exterior: Masonry in need of repair

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# Interior: Bays

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# Interior: HVAC failures; Inadequate Ventilation

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# Interior: Inadequate Space

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# Priority Three: Walden Street Complex Renovations



Estimated cost depends upon reuse



On hold until determination is made about other priorities

# Annually Recurring Need: Public Works Infrastructure

- **Includes:** Pavement Management; Parking Lot Rehab; Culvert & Bridge Repairs; Stormwater Management; Traffic/Transportation Improvements; Bike & Pedestrian Improvements
- \$3.5 – 7.8M per year
- Current allocation is about \$2M per year, or about 40% of total existing Tier II CIP (debt financed)
- Options:
  - Allocate more of Tier II spending to Public Works Infrastructure
  - Increase amount available by either:
    - Shifting some Tier II to Tier I
    - Raise Tier II spending total; requires policy change

# Summary

While Municipal Facilities Plan was completed in 2020, advancement of all other Town projects was put on hold pending decision on CMS which was determined to be the highest priority project

Town has significant high priority capital needs (\$50 – 100M), but voter appetite for additional spending of this magnitude in FY24 – 33 is unknown

Public Works Feasibility Study must be completed to provide current cost estimates and plan for phased redevelopment

A similar study will need to be undertaken for Public Safety, but will be funded in Tier II CIP

A decision needs to be made on how to adequately fund public works infrastructure

# Tax Impact of Tier Three Capital: at Median Assessed Value

Outside the Levy General Fund (Excludable Debt)													
Median Assessed Value Household	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30	FY31	FY32	FY33	Future Years	Unspecified Annual
Town*	\$ 425	\$ 407	\$ 388	\$ 283	\$ 211	\$ 203	\$ 89	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
CCRS	\$ 445	\$ 435	\$ 407	\$ 385	\$ 378	\$ 371	\$ 364	\$ 356	\$ 349	\$ 340	\$ -	\$ 1,810	\$ -
Minuteman	\$ 57	\$ 57	\$ 57	\$ 57	\$ 57	\$ 57	\$ 57	\$ 57	\$ 57	\$ 57	\$ 57	\$ 569	\$ -
<b>TOTAL</b>	<b>\$ 927</b>	<b>\$ 899</b>	<b>\$ 852</b>	<b>\$ 725</b>	<b>\$ 646</b>	<b>\$ 631</b>	<b>\$ 510</b>	<b>\$ 413</b>	<b>\$ 406</b>	<b>\$ 397</b>	<b>\$ 57</b>	<b>\$ 2,379</b>	<b>\$ -</b>
<b>Middle School project</b>													
Middle School June 2022 issue	\$ 123	\$ 149	\$ 145	\$ 141	\$ 137	\$ 133	\$ 129	\$ 126	\$ 122	\$ 118	\$ 114	\$ 854	\$ -
FUTURE: Middle School phase #2	\$ -	\$ 1,163	\$ 1,138	\$ 1,112	\$ 1,086	\$ 1,060	\$ 1,034	\$ 1,008	\$ 982	\$ 957	\$ 931	\$ 10,859	\$ -
<b>TOTAL</b>	<b>\$ 123</b>	<b>\$ 1,313</b>	<b>\$ 1,283</b>	<b>\$ 1,253</b>	<b>\$ 1,223</b>	<b>\$ 1,193</b>	<b>\$ 1,164</b>	<b>\$ 1,134</b>	<b>\$ 1,104</b>	<b>\$ 1,074</b>	<b>\$ 1,044</b>	<b>\$ 11,713</b>	<b>\$ -</b>
additional funding	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>REVISED TOTAL</b>	<b>\$ 123</b>	<b>\$ 1,313</b>	<b>\$ 1,283</b>	<b>\$ 1,253</b>	<b>\$ 1,223</b>	<b>\$ 1,193</b>	<b>\$ 1,164</b>	<b>\$ 1,134</b>	<b>\$ 1,104</b>	<b>\$ 1,074</b>	<b>\$ 1,044</b>	<b>\$ 11,713</b>	<b>\$ -</b>
<b>Middle School Project, Anticipated Offsets</b>													
Use of Stabilization Fund; \$5M over 4 year period	\$ -	\$ (178)	\$ (178)	\$ (178)	\$ (178)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operational Savings, \$548,000	\$ -	\$ (78)	\$ (78)	\$ (78)	\$ (78)	\$ (78)	\$ (78)	\$ (78)	\$ (78)	\$ (78)	\$ (78)	\$ (1,170)	\$ -
<b>REVISED TOTAL, Middle School Project:</b>	<b>\$ 123</b>	<b>\$ 1,057</b>	<b>\$ 1,027</b>	<b>\$ 997</b>	<b>\$ 967</b>	<b>\$ 1,116</b>	<b>\$ 1,086</b>	<b>\$ 1,056</b>	<b>\$ 1,026</b>	<b>\$ 996</b>	<b>\$ 966</b>	<b>\$ 10,543</b>	<b>\$ -</b>
<b>Future, Unspecific Timeframe</b>													
Public Works Facility (low)													\$ 344
Public Works Facility (high)													\$ 531
Public Safety Complex													\$ 289
<b>GRAND TOTAL: ALL EXCLUDED DEBT</b>	<b>\$ 1,050</b>	<b>\$ 1,956</b>	<b>\$ 1,879</b>	<b>\$ 1,722</b>	<b>\$ 1,613</b>	<b>\$ 1,747</b>	<b>\$ 1,596</b>	<b>\$ 1,469</b>	<b>\$ 1,432</b>	<b>\$ 1,393</b>	<b>\$ 1,023</b>	<b>\$ 12,922</b>	<b>\$ -</b>

Each additional \$10M of debt authorization has an estimated impact of approximately **\$115/ year** at Median Assessed Value

- Assuming 20-year level debt/ level payment
- 5% interest rate



# Middle School

## Debt Sale Preparation & Impact on Median Household

Capital - Public Forum #3  
December 5, 2022



# Debt Sale Preparation

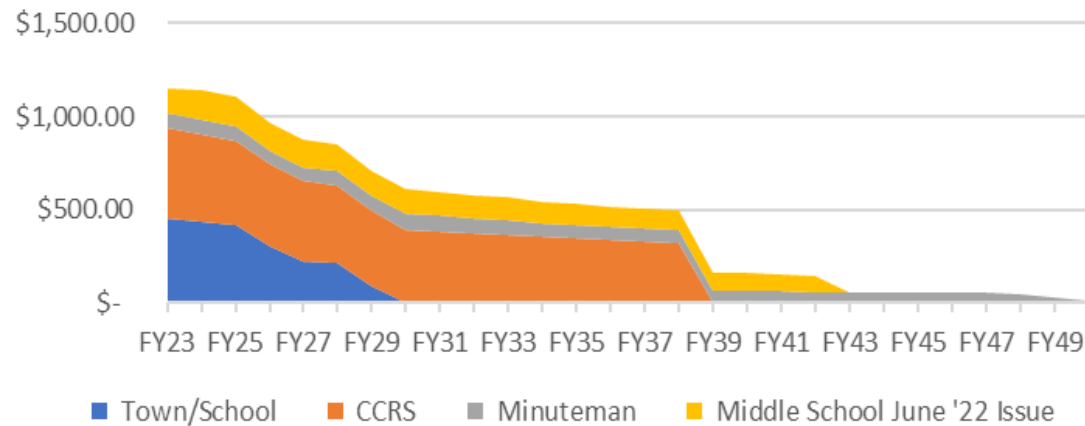
## Marketing to the Community

- Town should advertise sale(s) well in advance
- Residents may wish to consult their financial advisor about the opportunity
- Town consider using 'Mini Muni' structure – appeals to more local buyers
- Overview of 'typical buyer' market segments may support 30yr issuance



# Existing Excluded Debt

**Existing Excluded Debt**  
 Annual Cost for Median Assessed Value Home  
 (FY23 \$1,148 cost for \$1,169,500 home)



Next 5 years	All Existing Excluded Debt
FY23	\$ 1,148.00
FY24	\$ 1,140.91
FY25	\$ 1,104.34
FY26	\$ 965.28
FY27	\$ 873.02



# Future Middle School Excluded Debt

## Financing Options for Future MS Debt

*(annual costs for median homes)*

Term of borrowing		25yrs	25yrs	30yrs
Interest Rate		5.10%	5.25%	5.25%
Financing Approach		Level	Level	Level
		Principal	Debt	Debt
Authorized \$90.816 mil not yet issued	yr 1	\$1,257	\$1,004	\$924
	yr 2	\$1,229	\$1,004	\$924
	yr3	\$1,200	\$1,004	\$924
	yr25	\$580	\$1,004	\$924
	yr30			\$924
Requested \$7.2 mil additional	yr 1	\$100	\$80	\$73
	yr 2	\$98	\$80	\$73
	yr3	\$95	\$80	\$73
	yr25	\$46	\$80	\$73
	yr30			\$73



# Total Future Excluded Debt

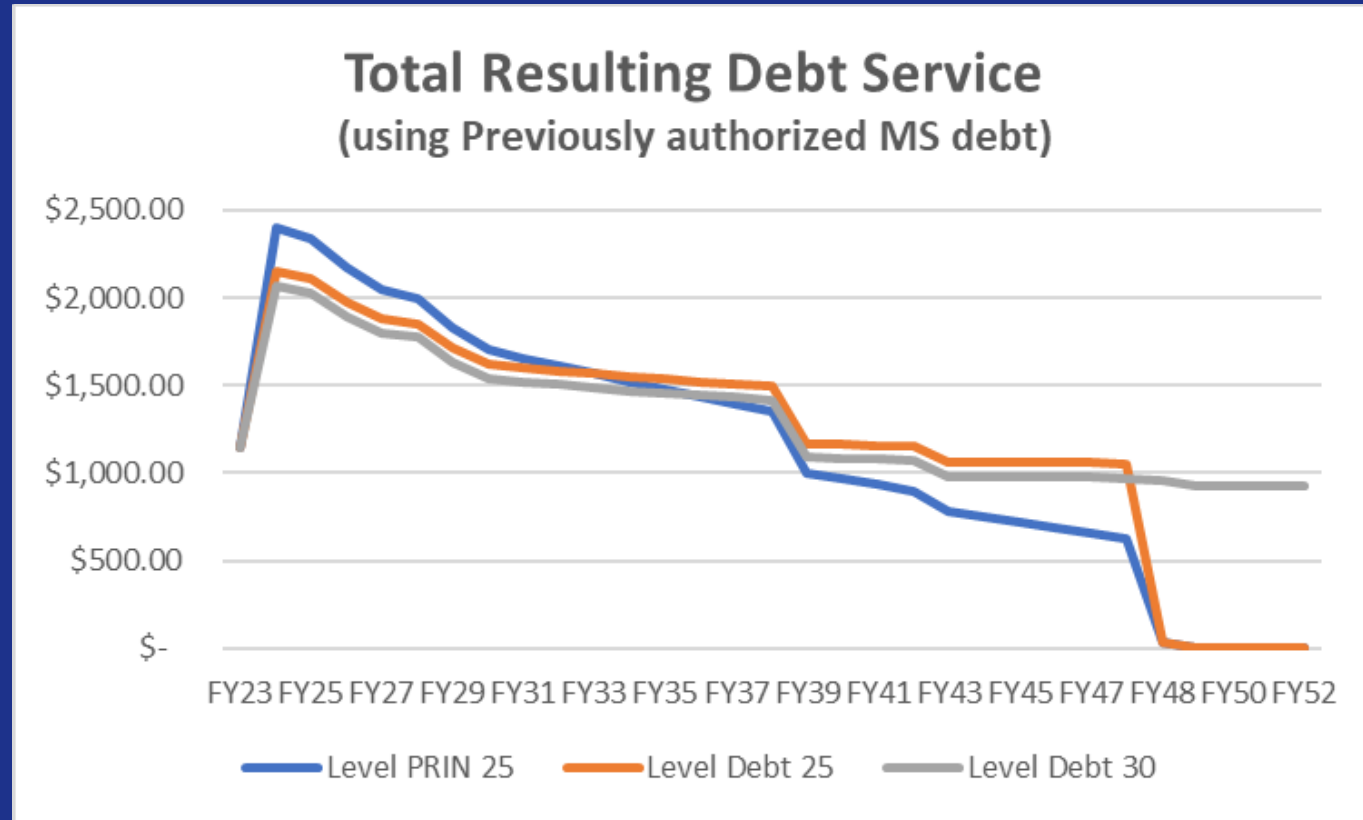
## Projected Costs of All Excluded Debt

*(annual costs for median homes)*

Term of borrowing		25yrs	25yrs	30yrs
Interest Rate		5.10%	5.25%	5.25%
Financing Approach		Level	Level	Level
		Principal	Debt	Debt
Authorized	yr 1	\$ 2,405	\$ 2,152	\$ 2,072
\$90.816 mil not yet issued	yr 2	\$ 2,370	\$ 2,145	\$ 2,065
	yr3	\$ 2,304	\$ 2,108	\$ 2,028
	yr25	\$ 627	\$ 1,051	\$ 971
	yr30	\$ -	\$ -	\$ 924
	Requested	yr 1	\$100	\$80
\$7.2 mil additional	yr 2	\$98	\$80	\$73
	yr3	\$95	\$80	\$73
	yr25	\$46	\$80	\$73
	yr30			\$73



# Total Future Excluded Debt

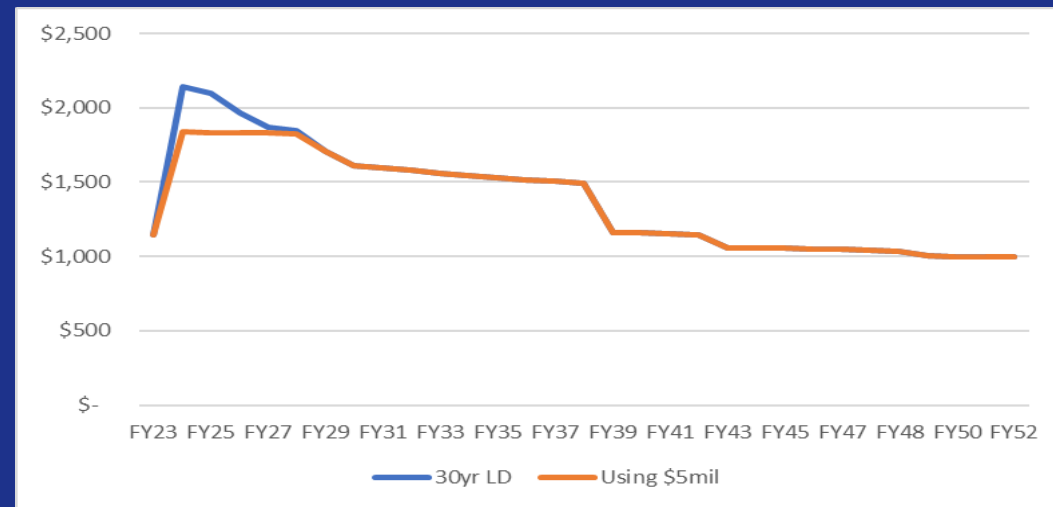




# Tools to Reduce Initial Taxpayer Impact

- Debt Issuance could be staggered over the first few years to spread out early costs.
- The Middle School Stabilization Fund could be used early to do the same –below is 30yr level debt service smoothed by using amounts shown on the left:

FY24	\$ (1,950,000)
FY25	\$ (1,775,000)
FY26	\$ (875,000)
FY27	\$ (275,000)
FY28	\$ (125,000)



TOWN OF CONCORD  
FINANCE DEPARTMENT  
INTERDEPARTMENTAL MEMO

TO: SELECT BOARD

CC: GAIL DOWD, CHIEF FINANCIAL OFFICER  
KERRY LAFLEUR, TOWN MANAGER

FROM: COLLEEN RHINHART, DEPUTY TREASURER-COLLECTOR

DATE: NOVEMBER 9, 2022

RE: INTERGOVERNMENTAL CONTRACT – PLYMOUTH COUNTY

---

Select Board,

The Town is looking to contract with Plymouth County for their services offered for parking ticket management. The Town was not able to renew the existing contract with Passport, so we went out to bid for a new parking ticket management vendor. We received 3 responses from the following: IPS Group, T2 Systems and Plymouth County. A selection committee reviewed all the responses. Plymouth County received the highest ranking from the selection committee and came in with the lowest price proposal.

Plymouth County: \$9,945.00

IPS Group: \$18,135.00

T2 Systems: \$35,897.00

A reference from the Town of Milton was contacted and provided a positive review of the conversion process, user friendly website, and customer support. Milton was also in the same position as Concord being a former client of Passport.

Since intergovernmental contracts are exempt from MGL Chapter 30B (Chapter 30B, Section 1(b)(3)), the committee chose to reject all proposals and award the contract to Plymouth County under this exemption. This enables the Town to enter into a contract, renewable annually, for greater than three years.

At this time, the Town is without a parking ticket service causing complications with tracking tickets, online payments, and clearing and marking plates at the Registry of Motor Vehicles. I am

asking for the Select Board's approval to move forward with the contract with Plymouth County so that we can provide the necessary services to the public. If you approve, please sign two copies of the attached Intergovernmental Agreement and have it returned to me to complete the process with Plymouth County.

Regards,

Colleen Rhinhart  
Deputy Treasurer-Collector

INTERGOVERNMENTAL AGREEMENT  
FOR  
PARKING TICKET, ADMINISTRATION AND SYSTEM OPERATION  
BETWEEN  
TOWN OF CONCORD  
AND  
COUNTY OF PLYMOUTH

This AGREEMENT is made and entered into this \_\_\_ day of \_\_\_\_\_, 2022 by and between the County of Plymouth (“the County”), as represented by the Plymouth County Commissioners, having a usual place of business at 44 Obery Street, Plymouth, Massachusetts 02360, and the Town of Concord (“the Town”), as represented by its Select Board, having a usual place of business at 22 Monument Square, Concord, MA 01742 for the computerization and processing of parking tickets in accordance with G.L. c. 90, Section 20A½, and G.L. c. 40, § 4A,

ARTICLE 1 – PARKING TICKET OPERATING SYSTEM

- 1.1 The County will provide the Town with access to its online citation issuance and administrative portal.
- 1.2 The County will allow the Town’s parking clerk administrator access to the online citation issuance and administration portal.
- 1.3 The County will ensure that its systems are compatible with any computers and printers deployed in Town police department vehicles. The County will provide support as needed, including, but not limited to, assisting in the setup and ongoing continuance of compatible user settings in Town computer equipment.
- 1.4 The Town, at its sole discretion, may obtain hand-held electronic ticketing equipment, which may be purchased through the County. Any such equipment sourced by the Town through other vendors must conform to standards and specifications as established by the County. The Town will be responsible for any cellular data plan costs, either through directly contracting with a service provider, or through reimbursing the County for using the County’s service provider.
- 1.5 All tickets issued by the Town via the online citation issuance portal will be uploaded to the County’s main parking ticket system server by County staff. Tickets issued prior to 3 p.m. will be uploaded the same business day. Tickets issued 3 p.m. or after will be uploaded the next business day.
- 1.6 The Town may, at its sole discretion, issue paper parking tickets. All paper parking tickets issued by and for the Town will be purchased by the Town and will conform to the computer design established by the County, as well as to G.L. c. 90, § 20A½. Said ticket purchase will be billed to the Town and may be purchased through the County.

1.6.1 The Town will forward to the County on a weekly basis, or, at the Town's sole discretion, more frequently, all paper parking tickets issued by and under the supervision of the Town of Concord Police Department. The forwarding of paper tickets to the County will be in PDF format to an email address to be specified by the County

1.6.2 The County will computerize all pertinent information on each ticket within one business day of receipt and will store them in a manner conducive to payment, as well as to retrieval in the system.

1.6.3 Unpaid paper tickets uploaded or entered into the main parking ticket system server will be made available for payment on the County's secure website no later than 12:01 a.m. the following day.

- 1.7 The main parking ticket system server will be the official record of parking violations and payments for the Town for the duration of this contract. In addition to administrator access to the online ticket system, the County will provide to the Town copies of the official record on a monthly basis, no later than the 10<sup>th</sup> calendar day of each month. Such records will be retained in a manner consistent with the Massachusetts Municipal Records Retention Schedule.
- 1.8 The County shall be responsible for maintaining, at its sole expense, the functionality of all operating systems under this contract, including but not limited to online citation, payment and notice systems.

## ARTICLE 2 – ISSUANCE AND PAYMENT OF TICKETS

- 2.1 Tickets uploaded or entered into the main parking ticket system server will be made available for payment on the County's secure website no later than 12:01 a.m. the following day.
- 2.2 The County will accept fine payments on a daily basis in the name of the Town and will deposit those funds and enter payments received into the official record. Such fines will be in accordance with the Town's fine schedule established in accordance with G.L. c. 90, § 20A½.
- 2.3 The County will accept walk-in payments in the form of cash, check, money order, or postal note at its office at 44 Obery Street, Plymouth Massachusetts, Monday through Friday, 8 a.m. – 4 p.m., excepting state and federal holidays. The Town, at its sole discretion, may accept walk-in payments in any form, at such additional locations as it may designate. The Town shall notify the County of such payments within one (1) business day of receipt via a medium specified by the County.
- 2.4 The County will accept mail-in payments in the form of check, money order, or postal note.
- 2.5 The County will accept payments on its secure website. Payment methods shall include, but not be limited to Visa, Master Card, or Discover. The County, at its sole discretion,

may charge the violator an online convenience fee and retain such fee. The County's secure website shall be the exclusive medium for online payments. The Town may maintain a link to the County's website on its own website but shall not accept online payments.

### ARTICLE 3 – HEARING AND APPEALS

- 3.1 The County will report all Massachusetts violators who do not respond to the hearing notice to the Registry of Motor Vehicles by electronic means for the purposes of non-renewal of licenses and/or registrations
- 3.2 The Town shall notify the County of any such violation dismissed within one business day of disposition via a medium specified by the County.
- 3.3 The County will issue hearing notices in accordance with G.L. c. 90, § 20A ½. The County will obtain names and addresses of Massachusetts violators through electronic communication with the Registry of Motor Vehicles.
- 3.4 The Town will provide the County notice of a hearing or hearings based upon a mutually agreed upon time frame as hearings are scheduled.
  - 3.4.1 At the conclusion of the hearing, the Town shall notify the County of any tickets dismissed or payments received within one business day of disposition via a medium specified by the County.
  - 3.4.2 For any tickets or violations that are upheld, the adverse party shall be notified in accordance with G.L. c. 90, § 20A½ by the Town.
- 3.5 The Town will conduct hearings in accordance with G.L. c. 90, § 20A ½ and G.L. c. 30, § 14.

### ARTICLE 4 – ADMINISTRATION AND FEES UNDER THE AGREEMENT

- 4.1 The County will respond to any questions from the Parking Clerk or the Town and will provide customer service assistance to members of the public via telephone, email, or walk-in visits during normal business hours.
- 4.2 The County will process all tickets received from the Town at a charge of two dollars (\$2.00) each and all payments against those tickets at no charge.
- 4.3 Any hearing notices on violations over twenty-one days old will be issued at the direction of the Town at a rate of fifty cents (\$0.50) per hearing notice for expenses, plus actual cost per hearing notice for postage.
- 4.4 On or before the tenth day of each month, the County will return to the Town all fines collected for the preceding month, less the fees noted in paragraphs 4.2 and 4.3 and the costs noted in paragraph 1.5 of this Agreement. Fines shall be returned along with a

report of all activity of the parking ticket system for the preceding month. The County reserves the right to furnish activity reports in an electronic format.

4.5 All notices and communications between the Town and the County will use each party's address as listed in the first introductory paragraph of this Agreement.

4.6 The responsibilities undertaken by the parties under this Agreement are for the common goals of this Agreement and in no way does this Agreement relieve either party from their individual or joint legal obligations under this Agreement or under any applicable law or regulation. Notwithstanding G.L. c. 40, § 4A, to the extent permitted by law: (a) each party agrees to indemnify the other, including all officials, officers, employees, agents, servants, volunteers and representatives, from and against any claim arising out of the duties performed by a party pursuant to the Agreement on behalf of the other Party for any claim of liability, loss, damages, costs and expenses for personal injury or damage to real or personal property ("Claim"), except for any such Claim caused by or arising from any negligent act or omission by the party performing that duty and (b) each party separately agrees to indemnify the other Party, including all officials, officers, employees, agents, servants, volunteers and representatives of the other party, from and against any Claim caused by or arising from any negligent act or omission of the indemnifying party. The parties' obligations to indemnify under this Agreement shall be limited to and benefited by the immunities and the limits on liability that would be applicable under G.L. c. 258 and any other law or statute limiting the liabilities of governmental entities.

#### ARTICLE 5 – TERM, AMENDMENT, AND TERMINATION

5.1 The term of this Agreement shall be for five (5) years commencing from the date of execution of this Agreement, provided that either the County or the Town may terminate this Agreement upon thirty (30) days written notice mailed to the usual place of business.

5.2 This Agreement shall remain in full force and effect unless or until either party make a request in writing for a review, renegotiation, or termination of the terms set forth herein. No amendment to this Agreement or any part thereof shall have effect without the signatures of duly authorized representatives of the County and the Town.

5.3 Upon termination of this Agreement, the County will provide all information in the system regarding the Town through electronic means.

#### ARTICLE 6 – ADDITIONAL PROVISIONS

6.1 The County shall neither assign, delegate, nor transfer any of its rights, interests, duties, or obligations under this Agreement.

- 6.2 If any provision of this Agreement is held by a court of appropriate jurisdiction to be invalid, illegal or unenforceable, or if any such term is so held when applied to any particular circumstance, such invalidity, illegality or unenforceability shall not affect any other provision of this Agreement, or affect the application of such provision to any other circumstances, and the remaining provisions hereof shall not be affected and shall remain in full force and effect.
- 6.3 The Town and the County reserve the right, either in law or equity, by suit, and complaint in the nature of specific performance, or other proceeding, to enforce or compel performance of any or all covenants herein. Nothing in this Agreement shall deprive a Municipality of any remedy, power, or authority which it has at law or under its by-laws, except where expressly set forth in this Agreement.
- 6.4 This Agreement constitutes the entire Agreement between the Town and the County concerning the subject matter hereof, superseding all prior agreements and understandings. There are no other agreements or understandings between the Town and County concerning the subject matter hereof. Each party acknowledges that it has not relied on any representations by any other party or by anyone acting or purporting to act for another party or for whose actions any other party is responsible, other than the express, written representations set forth herein.
- 6.5 The annual cost shall be reviewed and adjusted, if necessary, annually, three (3) months prior to end of each year of this Agreement.
- 6.6 Pursuant to G.L. c. 40, § 4A, employees, servants, or agents of either the Town or County while engaged in performing any service, activity, or undertaking under this Agreement shall be deemed to be engaged in the service and employment of that entity, notwithstanding the fact that such service, activity or undertaking is being performed in or for another governmental unit or units.
- 6.7 Pursuant to G.L. c. 40, § 4A, the equipment of either the Town or the County while engaged in performing any service, activity or undertaking under this Agreement shall be deemed to be engaged in the service and employment of that municipality, notwithstanding such service, activity or undertaking is being performed in or for another governmental unit or units.
- 6.8 Upon the written request of either the County or the Town, an audit of records concerning the Agreement by a mutually agreeable auditing entity approved by the County and the Town may be conducted. Subject to appropriation, the cost of the audit shall be borne evenly. The audited entity shall provide a copy of any such audit report to the other entity.

6.9 This agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Massachusetts and the parties hereto submit to the jurisdiction of any of its appropriate courts for the adjudication of disputes arising out of this agreement.

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Matthew Johnson, Chair

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Sandra M. Wright, Chairman

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Teri Ackerman, Clerk

---

Gregory M. Hanley, Commissioner

---

Linda Escobedo, Member

---

Jared L. Valanzola, Commissioner

PLYMOUTH COUNTY COMMISSIONERS

---

Henry Dane, Member

---

Mary Hartman, Member

SELECT BOARD

TOWN OF CONCORD

# Personnel Board Presentation to Select Board

5 December 2022

The purpose of this memorandum is to summarize the Personnel Board's recommendations for areas to focus for next steps, in response to the Personnel Study Task Force (PSTF) final report.

## A. Overall Impression:

We would like to thank the members of the Personnel Study Task Force for the extensive review and analysis that they have provided in their final report. This impressive body of work will serve as a major contribution to the Town in clarifying the Personnel Board's future, as part of the integral workings of Concord Town Government. Their hard work is appreciated by the Personnel Board.

The PSTF report serves as a resource to help guide the Select Board, the Town Manager, the Personnel Board and other Citizen Boards to support a more meaningful role for the Personnel Board. The final report is a first step towards reshaping the work of the Personnel Board to better serve the Town Manager, Human Resources Department and Town employees in their work to create a positive work environment that will enhance employee recruitment and retention efforts.

## B. Process to Support Tangible Outcomes:

- 1) Establish a prioritized plan: We have prioritized key areas of focus in the document that follows.
  - We would like to confirm, however, how this strategic action plan gets certified: is it by the Select Board? The Town Manager? Personnel Board, the PSTF or citizens more generally?
- 2) Confirm the goals:
  - Goals should be confirmed with objectives for each major task, milestones to be met and timelines for action.
  - Are these goals to be set and managed by the Personnel Board? Select Board? Town Manager? What is the coordination we should expect?
- 3) Task Management:
  - Once agreed upon, is task management the responsibility of the Town Manager? The Select Board? The Personnel Board?

**Work Plan Details:**

Using the PSTF’s report, the Personnel Board has identified major focus areas for the Town (i.e., Select Board, Personnel Board, and management) to concentrate their efforts. In addition, we have prioritized elements within each focus area identifying “high/medium/low” priority assessments [please see explanatory chart below].

Priority Code:           High = to be completed in the next 6 months  
                               Medium = to be completed in the next 6-12 months  
                               Low = to be completed in next 12-24 months

**Area of Focus 1- Communication:** The Personnel Board recommends enhanced communications across the town related to personnel governance, employee engagement and transparency of Personnel Board information.

Stakeholders			
<ul style="list-style-type: none"> <li>➤ Select Board</li> <li>➤ Personnel Board</li> <li>➤ Town Manager</li> <li>➤ HR Director</li> <li>➤ Citizens</li> <li>➤ Employees</li> </ul>			
Subjects to be Addressed	Priority Level	Comments	
1. Informing employees re: Bylaw changes	High	Town Manager, HR Director to utilize new Communications Manager to build consistent information channels for employees. Personnel Board to review.	
2. Availability of Personnel Board information packets on Town website	High	HR Director to maintain the Personnel Board packets on the website (effective immediately).	
3. Personnel Board’s knowledge & level of involvement with employee complaints	High	Step One: Define the scope of complaints Step Two: Clarify process for interaction	
4. Reports from HR of key metrics consistent with Personnel Board’s role/charge	High	Step One: Outline Dashboard for data sharing Step Two: HR to supply updates monthly	
5. Frequency of joint meetings between Select Board/ Personnel Board	High/Medium	Suggesting Quarterly updates to Select Board	
6. Employee understanding or knowledge of: a. Roles of Town Manager/Personnel Board b. Compensation & Benefit Plans c. Personnel policies in general d. how to file a grievance	Medium	1. Update the Employee Handbook. 2. Develop a communications strategy for engaging non-unionized town employees (Communications Manager /HR/ Managers) 3. Personnel Board to review Communication Strategy and hold regular open meetings with employees.	
7. Reporting to town citizens of basic employment data	Low	With HR Dashboard in place, Personnel Board to work with HR to share publicly on a regular basis.	

**Area of Focus 2 – Governance:** The Personnel Board recommends adherence to requirements stipulated in the current Personnel Bylaw. The Board supports an evaluation and changes to the Personnel Bylaw to meet the needs of the employees and the Town of Concord in a rapidly changing employment market (note that these actions would also consider the Town Charter and the Mass General Laws that apply).

Authority Documents			
<ul style="list-style-type: none"> <li>➤ Massachusetts General Laws (M. G. L.)</li> <li>➤ Town Charter</li> <li>➤ Personnel Bylaw</li> <li>➤ Personnel Board Charge</li> </ul>			
Subjects to be Addressed	Priority Level	Comments	
8. Personnel Board’s current and future role and authority (based on M. G. L., the Town Charter, Personnel Bylaw, its Charge, Stakeholder interests, and operational needs) <i>(Note: this is a key component in assessing other subjects)</i>	High	Personnel Board only has authority to modify the ByLaw and the Charge. Board will make modifications of these documents first priority: Personnel Board Charge to be modified within 2 months. Draft article for next Town Meeting re: ByLaw changes to be submitted by 12/16/22.	
9. Personnel Board’s process for reviewing and updating the Personnel Bylaw	High	HR Director to draft the Article for Warrant for next Town Meeting. Personnel Board to review and approve.	
10. Frequency and scheduling of regular days/time for Personnel Board meetings	High	Personnel Board Meetings are meeting monthly. After new members finalized, Board to agree on a regular day/time.	
11. a. Job classification and reclassification process b. Frequency and elements of classification system review	High High	GovHR has been hired and a Compensation & Classification Review is underway. Article for Warrant expected by 12/16/22 deadline based on GovHR recommendations. Personnel Board to review and approve.	
12. Personnel Board’s role in review of benefits and recommending changes		For discussion at Select Board Meeting	
13. Job Description content and updates	Low	<ol style="list-style-type: none"> <li>1. Town Manager to provide HR strategy to Personnel Board so that job description discussions and updates can be aligned with strategic intent.</li> <li>2. Regular review of job descriptions and approval of updates by Personnel Board, aligned with Town HR strategy.</li> </ol>	
14. Information from Human Resources to Personnel Board for meeting preparation and action.	High	Incorporated in the monthly HR Dashboard and other materials to be provided to Personnel Board in a timely manner.	

**Area of Focus 3- Human Resources:** The Personnel Board supports the current work with the third-party vendor (GovHR) for comprehensive review of Compensation, Classification and Benefits of non-union employees.

Infrastructure of Employment			
<ul style="list-style-type: none"> <li>➤ Personnel Policies &amp; Procedures</li> <li>➤ Compensation &amp; Benefits</li> <li>➤ Classification Plan</li> </ul>			
Subjects to be Addressed		Priority Level	Comments
15.	Transparency, clarity, and accessibility of Personnel policies & procedures	High	See Communications section above.
16.	Method for seeking employee input/opinions on compensation, benefits and other policies impacting employees	Medium	<p>Employee feedback gathering process to be developed and approved by the Town Manager and Select Board.</p> <p>Personnel Board will act on information obtained through regular information-gathering processes.</p>
17.	Evaluation of compensation and whether it is competitive with other municipalities	High	<p>GovHR is currently undertaking this evaluation. Recommendations will be incorporated into Article for Warrant.</p> <p>Personnel Board recommends that GovHR or equivalent body be budgeted for and engaged every 3 years</p>

**Area of Focus 4- Employee Relations:** The Personnel Board recommends ongoing engagement to address employee satisfaction with Town governance and build confidence that there are efficient, effective, and transparent processes for feedback.

Employee Engagement			
<ul style="list-style-type: none"> <li>➤ Responsiveness</li> <li>➤ Work-related Issues</li> <li>➤ Performance Feedback</li> </ul>			
Subjects to be Addressed		Priority Level	Comments
18.	Timelines for addressing employee concerns	High	To the extent that Personnel Board is involved, Board will advise HR Department and address timelines.
19.	Trust in the Town Human Resources Department	High	Upon advice and strategy of Town Manager, Personnel Board to support that strategy via regular open meetings with employees.
20.	Employee performance feedback methods, timelines, quality and consistency	High	Personnel Board requires more data on the current circumstances: are performance feedback processes mandatory? Annually? Semi-annually? What objectives are assessed? Align the performance feedback to the Town employment strategy.

**D. Personnel Board Comments:**

As with any project, not all parties may agree with the data or information presented, nor with the conclusions reached. In this Personnel Board memorandum, there are two primary topics to mention briefly:

- 1) Town turn-over statistics vary with time, but we accept that the retention trend for Concord and many public and private institutions has been challenging during the pandemic years. The Personnel Board would like to explore our role, if any, in supporting the Town Manager and HR Department in efforts to improve recruitment and retention of Town employees. Noting the current Administrative Code provides for monthly reports from HR on appointments to positions under the Wage and Salary Classification plan, which may allow the Personnel Board an opportunity to assist HR and the Town Manager in identifying and addressing the key challenge areas appropriately.
- 2) Employee surveys, as with many survey tools, can be a challenge, both in the creation of the survey and how it is conveyed to employees, and how data is collected and shared. The Personnel Board does not have 100% confidence in the employee survey that was conducted by the PSTF as part of their research efforts. In advance of any future surveys, we recommend that the Town Manager have an employee survey guidance document prepared to govern/manage future surveys and subsequent sharing of data obtained.

TOWN OF CONCORD

# HOUSING PRODUCTION PLAN

FY2023-2028

DRAFT FOR REVIEW

REVISED 12/2/22

PREPARED FOR:

Town of Concord

22 Monument Square

Concord, MA 01742

PREPARED BY:

JM Goldson LL

Regional Housing Services Office

DRAFT

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DRAFT

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## ACRONYMS

ACS	US Census Bureau’s American Community Survey, Five-Year Estimates
ADA	Americans with Disabilities Act
ADU	Accessory Dwelling Unit
AHFC	Affordable Housing Funding Committee
AMI/AMFI	Area Median Family Income set by HUD (household of four)
ARPA	American Rescue Plan Act
ASAP	Aging Service Access Points
BIPOC	Black, Indigenous, People of Color
CEDAC	Community Economic Development Assistance Corporation
CHA	Concord Housing Authority
CHAPA	Citizens Housing and Planning Association
CHAS	Comprehensive Housing Affordability Strategy
CHDC	Concord Housing Development Corporation
CHF	Concord Housing Foundation
CMAHT	Concord Municipal Affordable Housing Trust
CPA	State of Massachusetts Community Preservation Act (MGL Chapter 44B)
CPC	Community Preservation Committee
CPTC	Citizen Planner Training Collaborative
DEI	Diversity, Equity, and Inclusion
DEP	Massachusetts Department of Environmental Protection
DDS	Massachusetts Department of Developmental Services
DHCD	Massachusetts Department of Housing and Community Development
EOEA	Executive Office of Elder Affairs
EPA	U.S. Environmental Protection Agency
FAR	Floor Area Ratio
FEMA	Federal Emergency Management Agency
FHAct	Federal Fair Housing Act
FY	Fiscal Years (July 1-June 30)
GHG	Greenhouse Gas
HAC	Housing Appeals Committee
HOME	HOME Investments Partnerships Program
HPP	Housing Production Plan
HUD	United States Department of Housing and Urban Development
LOHA	Local Option for Housing Affordability Coalition
LMI	Low/Moderate- Income (at or below 80 percent AMI)
MACRIS	Massachusetts Cultural Resources Information System
MAPC	Metropolitan Area Planning Council

MassDOT	Massachusetts Department of Transportation
MassGIS	Massachusetts Bureau of Geographic Information
MBTA	Massachusetts Bay Transportation Authority
MCI	Massachusetts Correctional Institution
MGL	Massachusetts General Laws
MLS	Multiple Listings Service (central real estate database)
MSA	Metropolitan Statistical Area
NECC	Northeastern Correctional Center
NESDC	New England School Development Council
NHESP	Massachusetts Natural Heritage and Endangered Species Program
NRC	Natural Resources Commission
PRD	Planned Residential Development
RFP	Request for Proposal
RHSO	Regional Housing Services Office
SHI	Massachusetts Subsidized Housing Inventory
TBD	Thoreau Depot Business District
WWTP	Waste Water Treatment Plant
YTD	Year to Date
ZBA	Zoning Board of Appeals
40B	Comprehensive Permit, per MGL Chapter 40B, §20-23

## KEY DEFINITIONS

This list of key definitions is intended to assist the reader and is not intended to replace applicable legal definitions of these terms. The following definitions are for key terms used throughout the document, many of which are based on definitions in statutes and regulations.

**Area Median Income (AMI)**– the median gross income for a person or family as calculated by the United States Department of Housing and Urban Development, based on the median income for the Metropolitan Statistical Area. For FY2022, the HUD area median family income (AMFI) for the Boston-Cambridge-Newton MA HUD Metro FMR Area (which includes Concord) is \$140,200.<sup>1</sup> AMI is also referred to in the document as median family income (AMFI).

**Cost-Burdened Household** – a household that spends 30 percent or more of its income on housing-related costs (such as rent or mortgage payments). Severely cost-burdened households spend 50 percent or more of their income on housing-related costs.

**Household** – all the people, related or unrelated, who occupy a housing unit. It can also include a person living alone in a housing unit or a group of unrelated people sharing a housing unit as partners or roommates. Family households consist of two or more individuals who are related by birth, marriage, or adoption, although they also may include other unrelated people. Nonfamily households consist of people who live alone or who share their residence with unrelated individuals.

**Family Household** – Family households consist of two or more individuals who are related by birth, marriage, or adoption, although they also may include other unrelated people.

**Non-Family Households** – Non-family households consist of individuals living alone and individuals living with others who are not related by birth, marriage, or adoption.

**Income Thresholds** – the U.S. Department of Housing and Urban Development (HUD) establishes income thresholds that apply to various housing assistance programs. These thresholds are updated annually and are categorized by household size. Concord is part of the Boston-Cambridge-Quincy, MA-NH HUD Metro FMR Area.

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<sup>1</sup> U.S. Department of Housing and Urban Development. FY 2021 Income Limits Summary. <https://www.huduser.gov/portal/datasets/il/il2021/2021summary.odn> (accessed August 2021).

**Extremely Low-Income (ELI)** – the FY 2014 Consolidated Appropriations Act changed the definition of extremely low-income to an individual or family whose annual gross income is at or below the greater of 30/50ths (60 percent) of the Section 8 very low-income limit or the poverty guideline. The FY2022 ELI income limits for a household of one is \$29,450 and for a household of four is \$42,050 (the 30% AMI limits).

**Very Low-Income (VLI)** – an individual or family whose annual gross income is at or below 50 percent AMI. The FY2022 VLI income limits for a household of one is \$49,100 and for a household of four is \$70,100, for the Boston MSA.

**Low/Moderate income (LMI)** – an individual or family whose annual gross income at or below 80 percent of the area median income (AMI).<sup>2</sup> The FY2022 LMI income limits for a household of one is \$78,300 and for a household of four is \$111,850.

**Labor Force** – all residents within a community over the age of 16 who are currently employed or *actively* seeking employment. It does not include students, retirees, discouraged workers (residents who are not actively seeking a job) or those who cannot work due to a disability.

**Open Space** – land to protect existing and future well fields, aquifers and recharge areas, watershed land, agricultural land, grasslands, fields, forest land, fresh and saltwater marshes and other wetlands, oceans, rivers, streams, lake and pond frontage, beaches, dunes and other coastal lands, lands to protect scenic vistas, land for wildlife or nature preserve, and/or land for recreational use.

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<sup>2</sup> For purposes of MGL c.40B, low/moderate income is defined as up to 80 percent AMI.

## DATA SOURCES

This plan utilizes data from 19 sources including the 2000, 2010, & 2020 Decennial Census; 2020 American Community Survey; Warren Group Town Stats; US Census Annual Building Permit Survey; DHCD; Comprehensive Housing Affordability Strategy (CHAS); Local MLS data, Trulia.com, Zillow.com, Concord Housing Authority, Concord/Carlisle School Committee; MA Department of Elementary and Secondary Education (DESE); HUD; Mass Housing Partnership's DataTown; New England School Development Council; the MA Department of Corrections as well as staff and committee knowledge and data.

The U.S. Census counts every resident in the United States by asking ten questions, whereas the ACS provides estimates based on a sample of the population for more detailed information. It is important to be aware that there are margins of error (MOE) attached to the ACS estimates, because the estimates are based on samples and not on complete counts.

Data collection and analysis was performed during Summer of 2022, and Chapters 3 and 4 (Demographics and Housing Conditions) sections reflect the latest data available at that time, including the full 2020 Decennial Census information which is not currently available.

# CHAPTER 1: INTRODUCTION

A Housing Production Plan (HPP), defined in regulations at 760 CMR 56.03 and administered by the Massachusetts Department of Housing and Community Development (DHCD), is a proactive strategy for planning and developing affordable housing. The HPP identifies the housing needs of a community and the goals and strategies it will use to identify and achieve or maintain the 10% threshold mandated by M.G.L. Chapter 40B. The Town's status relating to this 10% threshold is documented on the Subsidized Housing Inventory (SHI), also administered by DHCD.

This HPP Program enables municipalities to develop a strategy to meet its affordable housing needs in a manner consistent with the MGL Chapter 40B statute, produce housing units in accordance with that plan, and demonstrate progress towards their affordable housing production. By taking a proactive approach in the adoption of a HPP, cities and towns are much more likely to achieve both their affordable housing and community planning goals. HPPs give communities under the 10% threshold of Chapter 40B who are making steady progress in producing affordable housing on an annual basis, more control over comprehensive permit applications for a specified period. HPPs give communities over the 10% threshold a framework to maintain the statutory minima in accordance with local needs and community goals.

The Town of Concord places great importance on planning for affordable housing through the HPP process. HPPs are updated and renewed every five years per the regulations, and Concord had an approved Housing Production Plan in 2005, in 2010, and in 2015.

Housing Production Plans can create a 'safe harbor' for a community. When a municipality has a certified plan, decisions on comprehensive permit applications by the Zoning Board of Appeals (ZBA) to deny or approve with conditions will be deemed "consistent with local needs" under MGL Chapter 40B.

Housing Production Plans are certified by the following process, as identified in the regulations:

- Prepare the HPP: In accordance with the regulations, write the plan, including a public process, and have the plan adopted by the Select Board and Planning Board,
- Approve the HPP: DHCD approves the plan,

- Certify the HPP: Create affordable units equal to 0.5 of 1% of the total number of housing units in Concord (or 35 for Concord) in one year, or 1.0% (69 for Concord) in two years, and petition DHCD for certification.
- Renew the HPP: The term of the HPP is five years from approval.

Concord has chosen to prepare a Housing Production Plan for three reasons:

1. The 2015 Housing Production Plan expired in January 2021, and this update is being undertaken to regain approval status per state regulations.
2. The Town's best projections are that Concord will fall below its 10% goal under Chapter 40B when 2020 Census data is released in the spring of 2023, and the Town wants to have an approved HPP in place by that time.
3. Only *some* of the strategies defined in the 2015 Housing Production Plan have been implemented, so it is time to reassess those strategies and set future strategic goals and objectives with broad community input.

This Housing Production Plan was prepared by the Regional Housing Services Office, JM Goldson community preservation + planning, and the Planning Division of the Concord Department of Planning and Land Management and was funded with Concord Community Preservation Act funds.

The project started with compilation of available information, creating the Needs Assessment and Development Constraints chapters. The Needs Assessment pulls its information from nineteen<sup>3</sup> data sources, including the American Community Survey (ACS) since most 2020 Census data is not available. While the ACS provides a wide breadth of information, it is a survey or sampling of data, statistically significant, but not the comprehensive depth of the Decennial Census. An on-line survey was offered to residents, and advertised in local media starting April 11, 2022 and ending June 10, 2022 (442 people responded). From April 25 through 28, 2022 JM Goldson conducted five focus groups with Concord stakeholders on the topic of housing issues, challenges, and opportunities in the town. Each focus group was made up of between four and seven people, each one with an involvement or investment in the town's housing needs. The project team held three community workshops on June 7, 2022, September 14, 2022, and November 15, 2022. The Housing Production Plan was reviewed and adopted by the Select Board and Planning Board [include dates]

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<sup>3</sup> Sources include 2000, 2010, & 2020 Decennial Census; 2020 American Community Survey; Warren Group Town Stats; US Census Annual Building Permit Survey; DHCD; Comprehensive Housing Affordability Strategy (CHAS); Local MLS data, Trulia.com, Zillow.com, Concord Housing Authority, Concord/Carlisle School Committee; MA Department of Elementary and Secondary Education (DESE); HUD; Mass Housing Partnership's DataTown; New England School Development Council; MA Department of Corrections

## REPORT ORGANIZATION

- Chapter 1 provides an overview of the purpose of the plan, a community overview, description of the planning process, and summary of the Town's housing needs, goals, and strategies and may serve as an executive summary for this report.
- Chapter 2 describes the Town's five-year housing goals, strategies, and action plan as identified through the planning process associated with development of this plan.
- Chapter 3 provides a demographic profile of the community's residents.
- Chapter 4 provides an analysis of local housing conditions including housing supply, residential market indicators, and affordable housing characteristics.
- Chapter 5 describes the Town's development constraints and limitations including environmental constraints, infrastructure capacity, and regulatory barriers and considerations.
- Chapter 6 describes local and regional capacity and resources to create and preserve affordable and mixed-income housing in the community.

## COMMUNITY OVERVIEW<sup>4</sup>

Located 20 miles west of Boston, Concord is a picturesque New England community of handsome residences, preserved open spaces, family-owned farms and thriving commercial centers. The Town is served by MBTA commuter rail to Boston, Cambridge and Fitchburg. State highway Route 2 runs through Concord, and Routes 128/95 and 495 are conveniently accessed.

Concord was incorporated as the first inland settlement in Massachusetts through a grant from the Massachusetts General Court dated September 12, 1635. However, the area supported Native American activity long before the European settlers arrived. Concord is home to many significant people and milestones in American history.

Developable land is scarce (due to extensive flood plain and wetlands, active farming uses, and permanently protected open spaces), which has caused the price of land to rise. High land prices contribute to ever-increasing housing costs, which make the Town unaffordable to many who currently reside in the community, as well as those who would like to move into the community. For over 50 years, the Town's boards and committees have worked to increase housing diversity in Town. There have been consistent concerns expressed about preserving economic and social diversity, along with a diversity of the housing stock, while remaining mindful of the Town's rural and historic traditions, including preservation of open space. Concord is zoned primarily for single-family residences.

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<sup>4</sup> This community overview is drawn primarily from the Concord Town website and the 2015 Housing Production Plan.

# EXECUTIVE SUMMARY OF KEY FINDINGS

## HOUSING GOALS

1. Achieve and maintain the state's goal under Chapter 40B that at least 10 percent of Concord's year-round housing units are countable on its Subsidized Housing Inventory while additionally meeting other stated housing goals.
2. Support healthy aging in the community by expanding the range of affordable and intergenerational housing options.
3. Increase the variety of rental and ownership housing options, especially for families, particularly near transit stations and village centers, to promote smart growth.
4. Encourage new development that promotes protection of natural resources and climate change adaptation and resilience.
5. Assist in stabilizing housing and provide services for Concord's most vulnerable residents – especially those living in inadequate housing conditions, or at risk of homelessness.
6. Encourage the preservation of existing smaller homes and the construction of new smaller homes.
7. Foster community outreach and education to develop a mindset of diversity, equity, and inclusion about the need for affordable housing throughout the community.
8. Strengthen working partnerships with organizations focused on addressing housing needs in Concord and the region.
9. Continue to preserve the long-term affordability of existing affordable units.

## HOUSING STRATEGIES

1. The Concord Housing Development Corporation (CHDC) creates SHI units at Assabet River Bluff, supported by the CPC, CMAHT, and CHF.
2. The CHDC pursues the creation of housing units at the 12-acre site in West Concord (Junction Village), supported by town entities (SB, CPC, CMAHT, CHF, community and neighborhood groups).
3. CMAHT pursues the acquisition of other land for the creation of affordable housing, such as at 2229 Main Street, 740 Elm Street, or the Peabody Middle School (1232 Old Marlboro Road), supported and in coordination with the CHDC, Select Board, and CPC.
4. The CMAHT negotiates increased affordable units in privately developed projects in future development proposals and creates SHI units using buy-downs to existing moderate units.
5. Consider amending zoning to reduce the minimum lot size or frontage requirements for all forms of housing, where environmental conditions allow.
6. Research examples of “green” building design requirements and zoning regulations to require and incentivize “green” building design that results in optimally sited, smaller energy, and water-efficient homes powered by renewable energy.

7. Continue to promote redevelopment in areas where goods and services are available, and where sidewalks, bike lanes, and public transportation exists, such as the Thoreau Depot Business District, Concord Center Business District, and the West Concord Depot area.
8. Consider zoning consistent with MBTA communities law, with inclusionary zoning requirements added (West Concord and/or Thoreau Depot stations).
9. Identify strategies to enhance diversity, equity, and inclusion in the town's housing planning, policies, and zoning bylaws.
10. Strengthen zoning bylaw to allow duplexes by right in all zones, with a restriction on overall massing and scale.
11. Consider the creation of a town-wide inclusionary zoning bylaw.
12. Consider a home rule petition to allow the town to require affordable housing in by-right subdivisions (MGL Ch.41, Section 81M) or pay an option fee.
13. Continue feasibility and analysis to evaluate barriers and opportunities to create new units on Concord Housing Authority properties, and designate capital funding toward construction.
14. Strengthen the coordination, funding, and integration of available social service programs for low-income residents and seniors, including resources to live independently and funding repairs to modest value homes for health and safety, health services, etc.
15. Provide funding support to the Concord Housing Development Corporation to create and preserve existing affordable units.
16. Examine using the borrowing powers of the Community Preservation Act to fund and support a larger affordable housing project.
17. The Select Board supports the Concord Municipal Affordable Housing Trust (CMAHT) by continuing to seek funding at town meeting; through Community Preservation Act and ARPA funding; and by continuing to seek state authorization for real estate transfer fee and building permit surcharge to fund the trust, including professional resources needed to carry out an expanded mission.
18. Continue to host and support membership in the Regional Housing Services Office.
19. Explore opportunities for strategic sewer connections and expansion to allow denser development in smart-growth locations around village centers and affordable housing developments.
20. Continue to participate in the WestMetro HOME Consortium.
21. Continue participating in the Local Option for Housing Affordability coalition to petition the legislature for home rule or other strategies to provide long-term funding for the CMAHT (real estate transfer fee and building permit surcharge).
22. Continue integrated housing collaboration through the Concord Housing Roundtable and clarify the roles and responsibilities for Housing Production Plan implementation (including the Select Board, CHDC, CMAHT, CHA, CHF, Planning Board, and Community Preservation Committee).

23. Continue affirmative outreach to target populations [low-income, seniors, BIPOC (black, indigenous, and people of color), Concord employees] to increase awareness of existing affordable housing programs and assistance at local and state levels.
24. Foster outreach and education about local and regional affordable housing needs through a positive public relations campaign.

## DEMOGRAPHIC PROFILE

- Concord has had more substantial population growth in the past two decades than in prior recent decades. Following a population boom between 1960 and 1970, population growth was modest for a few decades, but has grown 9% between 2000 and 2020.
- The percentage of residents identifying as White in Concord dropped from 91.6% in 2000 to 82.9% in 2020. The number of residents who identify as “other” or mixed race has seen the most growth – from 549 residents in 2000 to 1,501 residents in 2020 (173% increase). There was a decrease in the percentage of those identifying as Black or African-American residents between 2010 and 2020 – from 3.8% of Concord’s population in 2010, to 3% in 2020, half of whom are in the two Concord prisons.
- Younger households comprise a smaller and smaller percentage of Concord’s population. Older households (55+) were a little less than half (46%) of Concord’s population in 2000, but were 57% of households in 2010, and 61% of households in 2020.
- Household size is increasing, as well as the number of non-family households.
- Although 70% of Concord’s households have incomes over 100,000, 25% (1,619) of households have incomes less than \$75K. The great majority of lower income households are 65+.

## HOUSING CONDITIONS

- 27.6% of Concord’s housing stock is multi-family – this is more housing diversity than all but two comparison communities.
- Older and younger households are more likely to be renters.
- The median price of single-family homes increased dramatically in the past five years.
- Smaller, lower priced homes are disappearing from Concord.
- Concord has issued virtually no permits for multi-family units in the past five years.
- Concord’s median gross rent, according to Census data, and snapshot data from Trulia.com, indicate that much of Concord’s rental housing costs more than the fair market rent (FMR) for nearly all unit sizes.
- 27.5% of Concord households are low income, earning less than 80% of AMI and therefore may be eligible for housing assistance through most federal and state programs.

- Concord has had a net loss in units on the SHI since 2015 (from 718 to now 715), with few units in the pipeline. It is likely that Concord will fall below the 10% in 2023 when the SHI is recalibrated with the new Census data.
- 31% of all Concord households are cost burdened, paying 30% or more of their income on housing costs; The problem is worse among renter households -- nearly half are cost-burdened.
- The clear majority (83%) of Concord's very low-income households (50% AMI or below) are housing cost burdened.
- 10.43% of Concord's housing, or 715 units, is recorded on the state's Subsidized Housing Inventory. However, half of these SHI units are actually market rate (due to counting rules for rental properties) reducing the SHI to 5.21% if removed from the inventory.
- Single-family home prices are rising faster than income in the last decade. The median income has risen 34%, and the median home price 70%.

## ENVIRONMENTAL CONSTRAINTS

- According to the 2015 Open Space & Recreation Plan (OSRP), 59% of Concord's total land area is considered open space, with 38% of all land in town listed as permanently protected open space.
- Approximately 50% of the town is under the NRC jurisdiction per the Wetland Protections Act (WPA) and Wetlands Bylaw.
- Global climate change will only increase the frequency and severity of flooding events in Concord.

## INFRASTRUCTURE CAPACITY

- Almost all Concord residents have access to town water, and about 35% of the town residents have access to town sewer.
- Wastewater treatment is a constraint to denser development throughout Town.
- Concord is served by the MBTA Commuter Rail with service to Boston from two stations.
- Concord is a destination for cyclists attracted to its beauty, terrain, cultural sites, shopping, dining, and recreational resources including the newly-opened Bruce Freeman Rail Trail, connecting Lowell to Framingham in its final implementation.

## REGULATORY BARRIERS AND CONSIDERATIONS

- In 2020, zoning was changed to expand the potential for development of attached and detached accessory dwelling units. Accessory Apartments (or Additional Dwelling Units (ADUs)) are allowed by right in all Residential Districts when certain criteria are met, and by special permit when relief from certain criteria is needed.

- In 2021, the bylaw was further amended to allow a two-family dwelling by Special Permit in the Residence C Zoning District and allow the Zoning Board of Appeals to reduce the requirement for two parking spaces for each dwelling unit.
- Concord's zoning bylaw provides some flexibility for Planned Residential Development (PRD). Planned residential developments allow for single-family detached, attached dwellings, or multi-unit structures of all types in accordance with Section 10 of the zoning bylaws in all Residential and Business Zones.
- The Commercial and certain Limited Business Districts allow combined business/residence uses by right. This use allows multi-family housing when combined in the same building with commercial uses. It also requires that at least 20% of the dwelling units be affordable.
- However, the only residential uses allowed by-right in residential districts are single-family dwellings.
- Therefore, zoning is a major constraint in diversifying Concord's housing efforts, because over 90% of the town is zoned for residential use, and the development pattern has been primarily single-family housing.

## IMPLEMENTATION CAPACITY & RESOURCES

- The Concord Housing Authority operates 132 units of public housing and administers 85 Section 8 vouchers, assisting more than 375 people.
- Since its inception, the Concord Housing Foundation has raised almost \$1,000,000.
- In total, the Community Preservation Committee has appropriated \$27.1 million across all CPA categories, with 21% (\$5,816,672) spent on community housing per the 2022 CPA plan. They have provided funding in excess of \$1M since 2020, including the Housing Production Plan update, the Regional Housing Services Office membership, the CHDC housing buy down program, and the Assabet River Bluff land acquisition.
- The Concord Housing Development Corporation is a 501c3 organization, developing and creating affordable housing in Concord. They have created 11 homes at Lalli Woods and Main St, contributed funds to create a lower level of affordability for one new housing unit, preserved the housing restrictions on two units at Emerson Annex and are the landowners of the 12-acre site known as Junction Village, and 1 acre site known as Assabet River Bluff. Additionally, the CHDC administers the Small Grant Program.
- The Regional Housing Services Office supports Concord and other neighboring municipalities with affordable housing services since its inception in 2011
- The recently created Concord Municipal Affordable Housing Trust currently has just over \$1 million in its fund to use towards affordable housing.
- The Concord Housing Roundtable is a unique example of coordination and collaboration between municipal housing groups.

## CHAPTER 2: HOUSING GOALS AND STRATEGIES

The housing goals and strategies detailed in this report are based on the findings of the demographic and housing analysis incorporated herein, as well as observations and preferences of community participants that were gathered through a variety of engagement methods. The Town solicited community input through focus groups on April 20<sup>th</sup> and April 26<sup>th</sup>, three public forums on June 6<sup>th</sup>, September 14<sup>th</sup>, and November 15<sup>th</sup>; and a public survey. This chapter outlines the major goals and strategies for achieving Concord's housing priorities.

The goals of this plan are consistent with [the Comprehensive Permit Regulations \(760 CMR 56\)](#) as required by DHCD for Housing Production Plans:

- a) a mix of housing types, consistent with local and regional needs and feasible within the housing market in which they will be situated. This includes rental, homeownership, and other occupancy arrangements (if any) for families, individuals, persons with special needs, and the elderly.
- b) a numerical goal for annual housing production pursuant to which there is an increase in the municipality's number of SHI Eligible Housing units. This represents at least 0.50 percent of its total units [in accordance with 760 CMR 56.03(3)(a)], during every calendar year included in the HPP, until the overall percentage exceeds the Statutory Minimum of 10% of its total year-round housing units, pursuant to M.G.L. c. 40B, and as set forth in 760 CMR 56.03(3)(a). Based on Concord's 2010 US Census figure of 6,852 year-round housing units, Concord's 10% goal would be met with 686 countable units on the SHI and its 0.50% goal of 35 units per year. As described in the Quantitative Goal below while Concord currently has 715 units on its SHI, the Town projects it will fall below 10% when the 2020 US Census year-round housing unit figure (estimated at between 7,295 and 7.795) is released in May 2023."

### KEY FINDINGS

Please see the Executive Summary for a list of all goals and strategies.

### FIVE-YEAR GOALS

A Housing Production Plan approved by DHCD expires after five years. If DHCD approves this HPP in early 2023, it would be in effect through early 2028, encompassing Fiscal Years 2023 through 2028. The goals of this five-year plan are intended to provide guidance for local housing policies and initiatives but do not bind future actions or decisions of local officials or the local legislative body (town meeting). The 9 goals, which are intended to accommodate Concord's

housing needs, include one that is a specific quantitative production goal and eight qualitative goals. The goals listed are in no particular or priority order.

***Note: The DHCD 10 percent goal under Chapter 40B is a minimum target. Concord's overall housing goals seek to create a variety of housing opportunities that will foster Concord's vibrancy, meet the needs of the community, and maintain Concord's unique charm.***

## QUANTITATIVE GOAL

1. ACHIEVE AND MAINTAIN THE STATE'S GOAL UNDER CHAPTER 40B THAT AT LEAST 10 PERCENT OF CONCORD'S YEAR-ROUND HOUSING UNITS ARE COUNTABLE ON ITS SUBSIDIZED HOUSING INVENTORY (SHI), WHILE ADDITIONALLY MEETING OTHER STATED HOUSING GOALS.

In 2022, Concord has 10.43 percent on the SHI, which is based on 2010 US Census data which will change in 2023. That 10.43% is calculated by dividing 715 countable SHI units by 6,852 year-round housing units per the 2010 US Census. And while this is 29 units over the Town's 10 percent goal under Chapter 40B based on a 2010 Census denominator, by May 2023, Concord is expected to fall below 10 percent based on 2020 U.S. Census data which will then be officially released;<sup>5</sup> and which is predicted to be between 7295 and 7795 year-round housing units<sup>6</sup>. Based on the 2020 US Census, and with an approved Housing Production Plan in place by 2023, Concord could obtain "Safe Harbor" certification for a period of one year by creating 36-38 new SHI units; or for a period of two years by creating 72-77 new SHI units.

Either action would almost certainly raise Concord above its overall 10 percent requirement under Chapter 40B. Concord's 10% goal would be met with 730-780 countable units on the SHI. Concord has 715 total SHI units currently, leaving a potential deficit of 15 to 65 units. However, Concord has lost a net of 3 units on the SHI since the last HPP was approved in 2016, from 718 units to now 715 units, having created 8 units and lost 11 group home beds. It will require a coordinated and consistent funding and staff time effort on the Town's part to

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<sup>5</sup> Note that the shortfall might be as high as twenty or low as eight, though the trend of losing Massachusetts Department of Children & Families (formerly Dept. of Social Services) units puts pressure on creating new units.

<sup>6</sup> Regional Housing Services Memo, dated September 19, 2022. The census has published the housing units in Concord as 7,295, however this is 500 units less than the building permit survey data also from the Census. The SHI denominator figure adjusts that figure by subtracting the 'seasonal' units (which were 95 in the 2010 Census). These considerations make precise projections difficult to make.

achieve such housing production goals during the life of this HPP. Failing to achieve such goals will open the Town to so-called “unfriendly 40B” proposals for private developments at locations and densities not of the Town’s choosing.

## QUALITATIVE GOALS

### 2. SUPPORT HEALTHY AGING IN THE COMMUNITY BY EXPANDING THE RANGE OF AFFORDABLE AND INTERGENERATIONAL HOUSING OPTIONS.

Concord’s population is aging and has a comparatively high number of non-family households, likely because the increasing number of older residents are more often comprised of non-family households. Many older adults need alternatives to single-family homes to continue to live in the community as their housing needs change. Housing choices are limited in Concord – 72.4 percent of Concord’s existing housing stock are single-family homes. More diverse housing options can provide choices for both older and younger residents.

### 3. INCREASE THE VARIETY OF RENTAL AND OWNERSHIP HOUSING OPTIONS, ESPECIALLY FOR FAMILIES, PARTICULARLY NEAR TRANSIT STATIONS AND VILLAGE CENTERS, TO PROMOTE SMART GROWTH.

Concord has significant infrastructure and environmental constraints. Only 35 percent of the Town’s population has access to town sewer, and large portions of the town are in flood zones (exact percent unknown), contain wetlands (50 percent), or are permanently protected open space (38 percent). Strategic areas for accommodating a variety of housing options are those with minimal environmental constraints in locations near train stations, village centers, and areas with access to sewer.

### 4. ENCOURAGE NEW DEVELOPMENT THAT PROMOTES PROTECTION OF NATURAL RESOURCES AND CLIMATE CHANGE ADAPTATION AND RESILIENCE.

The Town of Concord has a long history of sustainability and ambitious climate and sustainability goals. This includes a Climate Action and Resilience Plan (2020) with a 2050 goal of reducing community-wide greenhouse gas (GHG) emissions by 80 percent in alignment with both the Paris Climate Accord and the Massachusetts Global Warming Solutions Act. Promoting green housing initiatives may require additional funding, and it will be important to prioritize green affordable housing projects, including increasing funding requests to accommodate these net-zero and passive homes, to help achieve the Town’s climate and sustainability goals. Also, important will be creating new housing options through reuse or adaptation of existing buildings because this will reduce demolition waste, maximize the life use of materials, reduce carbon emissions by using those embodied in the existing building, conserve raw materials by reusing existing resources, etc. .

In March 2021, “An Act Creating a Next-Generation Roadmap for Massachusetts Climate Policy” was signed in law. This bill makes significant steps toward addressing climate change in the Commonwealth and meeting climate and energy goals for 2025 and 2030. In August 2022, one of the provisions in [Chapter 179 of the Acts of 2022](#), “An Act Driving Clean Energy and Offshore Wind, is a demonstration project in Section 84 to be administered by the State’s Department of Energy Resources (DOER) that would allow up to 10 municipalities to prohibit fossil fuel use in new building construction or major renovation projects. To be eligible, the municipality must either meet the 10 percent housing affordability threshold established by Chapter 40B, be granted “safe harbor” status through an approved Housing Production Plan, or have approved a zoning ordinance/bylaw that provides for one or more districts with at least 15 units per acre in which multifamily housing is permitted by right (suitable for families with children and without age restriction). Concord was one of the first ten communities to file a “fossil fuel-free” home rule petition and looks to participate in the demonstration project.

5. ASSIST IN STABILIZING HOUSING AND PROVIDE SERVICES FOR CONCORD'S MOST VULNERABLE RESIDENTS – ESPECIALLY THOSE LIVING IN INADEQUATE HOUSING CONDITIONS, OR AT RISK OF HOMELESSNESS.

Many low-income residents, including seniors, struggle with housing costs and with houses that are not well-suited to their abilities or needs as they age. Residents need help with housing rehabilitation to improve health and safety, improve energy efficiency, and assist with housing costs. Concord will work to support the housing needs of vulnerable residents, especially those who are living in inadequate housing conditions or are in danger of homelessness. Concord will seek out new ways to expand local assistance and maximize such support by leveraging state and other public or private programs.

6. ENCOURAGE THE PRESERVATION OF EXISTING SMALLER HOMES AND THE CONSTRUCTION OF NEW SMALLER HOMES.

Since 2015, 155 smaller homes (out of 275 new houses constructed in the same timeframe) were demolished to make way for new, larger homes. Larger homes typically have more bedrooms as compared to the household size, and these make up the bulk of housing in Concord. This factor, along with rising property values, places much of Concord's housing stock well out of reach of even households with higher average income. Preserving smaller homes will take a conscious effort to ensure the owner receives the benefit of having a house-lot in Concord and could be accomplished by creating a program for outright purchase of smaller homes and placing a deed restriction on the property to limit the size of new construction. Alternatively, community-minded property owners could benefit from access to legal guidance where they could voluntarily limit the size of future new construction on their lot through the addition of a deed restriction.

The Town also needs a greater variety of housing options to meet local housing needs and to help promote a socio-economically diverse population. This includes preserving and diversifying housing stock to include the "missing middle" options such as accessory dwelling units, duplexes, and cottage housing (e.g., the Riverwalk, Ingham Lane, and Mill Run developments on Main Street created using the Planned Residential Development option in the Zoning Bylaw). Another method for promoting construction of new smaller homes would be to revise the floor-area-ratio to promote smaller size homes on certain size lots.

7. FOSTER COMMUNITY OUTREACH AND EDUCATION TO DEVELOP A MINDSET OF DIVERSITY, EQUITY, AND INCLUSION ABOUT THE NEED FOR AFFORDABLE HOUSING THROUGHOUT THE COMMUNITY.

Throughout the country, there are deeply entrenched structural dynamics that drive the spatial patterns of residential segregation by race and income in metropolitan areas. Society has borne tremendous costs from public policies and programs at all levels of government. These were, in many cases, intentionally discriminatory, while in other cases they had unintentional consequences, particularly over the last century as suburbanization and promulgation of the so-called American Dream. Although these facts are gaining visibility in the public conscience, many people are not aware of this history and how it has affected our current-day realities. Greater awareness can help lead to implementation of solutions to integrate more housing options, including affordable options, into high-opportunity communities, such as Concord. See, for example, Richard Rothstein's [\*The Color of Law: A Forgotten History of How Our Government Segregated America\*](#), 2017; and Lily Geismer's [\*Don't Blame Us: Suburban Liberals and the Transformation of the Democratic Party\*](#), 2014.]

In [MetroCommon 2050](#), the regional plan for the 101 cities and towns in Metro Boston, the Metropolitan Area Planning Council (MAPC) identifies recommended measures to:

- [Ensure that people of all races and income levels have equal access to affordable housing through homeownership and rental opportunities in every community](#); and
- [Accelerate the production of diverse housing types throughout the region, particularly deed-restricted affordable housing, with a focus on transit-oriented, climate resilient and other smart growth locations.](#)

To promote diversity, equity, and inclusion, the Concord Select Board's goals for FY 2023 include:

- C.03. Work with the DEI Commission to research and implement diversity, equity, and inclusion best practices in town governance. Listen to diverse voices in the community and assess which additional DEI actions the Select Board should take; and

- C.04. Provide input to the housing production plan update to maximize the equity and diversity impacts of future affordable housing initiatives. Review and adopt the completed plan.

A list of all the Housing Production Plan strategies which address diversity, equity, and inclusion are indicated in the Action Plan, which follows directly after the Goals and Strategies.

8. STRENGTHEN WORKING PARTNERSHIPS WITH ORGANIZATIONS FOCUSED ON ADDRESSING HOUSING NEEDS IN CONCORD AND THE REGION.

Concord is fortunate to have several organizations helping to address housing needs in the community. These organizations provide affordable housing, financially support affordable housing development, and provide housing assistance or other related support, such as community education and advocacy. To further address local housing needs, the Town intends to continue to support and expand the initiatives of these organizations.

9. CONTINUE TO PRESERVE THE LONG-TERM AFFORDABILITY OF EXISTING AFFORDABLE UNITS.

Actively monitoring affordability requirements ensures that all projects are following their obligations. For rental developments, this means that the units are marketed openly, and tenant leasing procedures in fair, that the units are in good repair, the rents are affordable and that the tenants continue to be eligible. For ownership homes, the owners must live there as their primary residence and obtain approval of any refinancing.

As described on the Community Economic Development Assistance Corporation (CEDAC) website, expiring low-income use restrictions are an issue for three reasons:

- 1) When affordable units become market-rate units, LMI families and individuals can be displaced from their homes and even the community;
- 2) There is a loss of affordable housing options in the community; and
- 3) The expired units no longer meet the Town's SHI to fulfill the state's C.40B 10 percent goal. Sometimes units are lost from the SHI due to circumstances beyond the Town's control, such as in the case of DDS group homes in recent years as well as set affordability expiration dates.

## FIVE-YEAR STRATEGIES

Achieving the community's five-year goals will require a variety of regulatory, programmatic, and policy strategies. This section includes descriptions of local regulatory strategies, local initiatives, and strategies that deal with implementation capacity, education, and outreach. The intent is not to suggest that Concord will implement all these strategies over five years, but rather, to offer multiple ways the community can work to achieve its goals. Many of these strategies are contingent on factors beyond the municipality's control, including market opportunities and funding availability. All strategies will require local approvals in accordance with applicable laws and regulations.

This plan's strategies comply with the requirements of the Comprehensive Permit Regulations (760 CMR56), which are summarized as follows:

The HPP shall address the matters set out in the Department's guidelines, including an explanation of the specific strategies by which the municipality will achieve its housing production goal, and a schedule for implementation of the goals and strategies for production of units, including all the following strategies, to the extent applicable:

- a) The identification of zoning districts or geographic areas in which the municipality proposes to modify current regulations for the purposes of creating SHI-Eligible Housing developments to meet its housing production goal;
- b) The identification of specific sites for which the municipality will encourage the filing of Comprehensive Permit applications;
- c) Characteristics of proposed residential or mixed-use developments that would be preferred by the municipality (examples might include cluster developments, adaptive reuse, transit-oriented housing, mixed-use development, inclusionary housing, etc.);
- d) Municipally owned parcels for which the municipality commits to issue requests for proposals to develop SHI Eligible Housing; and/or
- e) Participation in regional collaborations that address housing development.

The strategies are organized into four categories and are in no particular order:

- A. Production Strategies to maintain at least 10 percent of housing units on the SHI
- B. Planning, Policies, and Zoning Strategies
- C. Local Initiatives and Programmatic Strategies
- D. Capacity, Coordination, and Education

## PRODUCTION STRATEGIES TO MAINTAIN 10 PERCENT OF UNITS ON THE SHI

1. THE CONCORD HOUSING DEVELOPMENT CORPORATION (CHDC) CREATES SHI UNITS AT ASSABET RIVER BLUFF, SUPPORTED BY THE CPC, CMAHT AND CHF.

**Background:** The seven-acre Assabet River Bluff property was acquired in August 2022 in a widely endorsed collaborative effort between open space and community housing. One acre of that property was purchased by the Concord Housing Development Corporation for \$950,000 (and \$50,000 for pre-development) with funding from the Concord Municipal Affordable Housing Trust (\$650,000), the Concord Housing Foundation (\$50,000), and the Town’s Community Preservation Fund (\$300,000) The property was identified in the Concord Open Space and Recreation Plan, as well as in the River Stewardship Council’s Wild & Scenic Prioritization Plan, as a priority parcel for protection, and is consistent with Concord’s sustainability goals.

The six acres acquired by the Town of Concord for its Natural Resources Commission will be permanently protected as open space, with public access on trails connecting to the Bruce Freeman Rail Trail. This acreage is about twice what would be undevelopable under wetlands and rivers protection legislation.

The one acre acquired by CHDC is set aside for five affordable housing units. The existing two-unit home at 406 Old Marlboro Road will be renovated and made permanently affordable, and three new affordable units will be constructed following a competitive request for proposal process. This property acquisition , which spanned more than twelve months, involved stakeholders, community members, and multiple Town boards and committees, and included nearly-unanimous votes at a Town meeting.

**Status:** The CHDC is currently designing the site and will proceed through the phases below.<sup>7</sup>

Item	Proposed Timeline
Design site layout access and entrance, septic, parking, storage, homes. Review with boards, public, interested parties.	2023
Issue Request for Proposal (RFP) for construction. Determine rental or ownership. Indicate building preferences and requirements, leaving room for developer design. Include indication of subsidy and target affordability level(s).	2023
Award request for proposal for construction, including development services agreement if needed	2024

<sup>7</sup> Exhibit B of the mortgage from CHDC to CMAHT filed at Bk 80551 pg 364 at Middlesex South Registry of Deeds

Obtain financing commitment for construction. Include local funds. Likely to require town meeting with active campaign. Revise land and refine construction costs quarterly.	2024-2025
Obtain zoning permit for construction. Likely using Planned Residential Development (PRD) zoning. Requires the design documents, engineered site plan.	2025
Record housing restriction, using the Department of Housing and Community Development (DHCD) Local Initiative Program (LIP)	2026-2027
Convey property to developer, with closing documents, and appropriate agreements	2027
Construct units, through phasing as designed	2028
Occupancy of units, including resident selection	2028-2029

**Location:** 2B Upland Road and 406 Old Marlboro Road

**Site Diagram:** Concept drawing (12/1/2022) 1 acre for affordable housing; 5 affordable dwelling units planned.



2. THE CHDC PURSUES THE CREATION OF HOUSING UNITS AT THE 12-ACRE SITE IN WEST CONCORD (JUNCTION VILLAGE), SUPPORTED BY TOWN ENTITIES (SB, CPC, CMAHT, CHF, COMMUNITY AND NEIGHBORHOOD GROUPS).

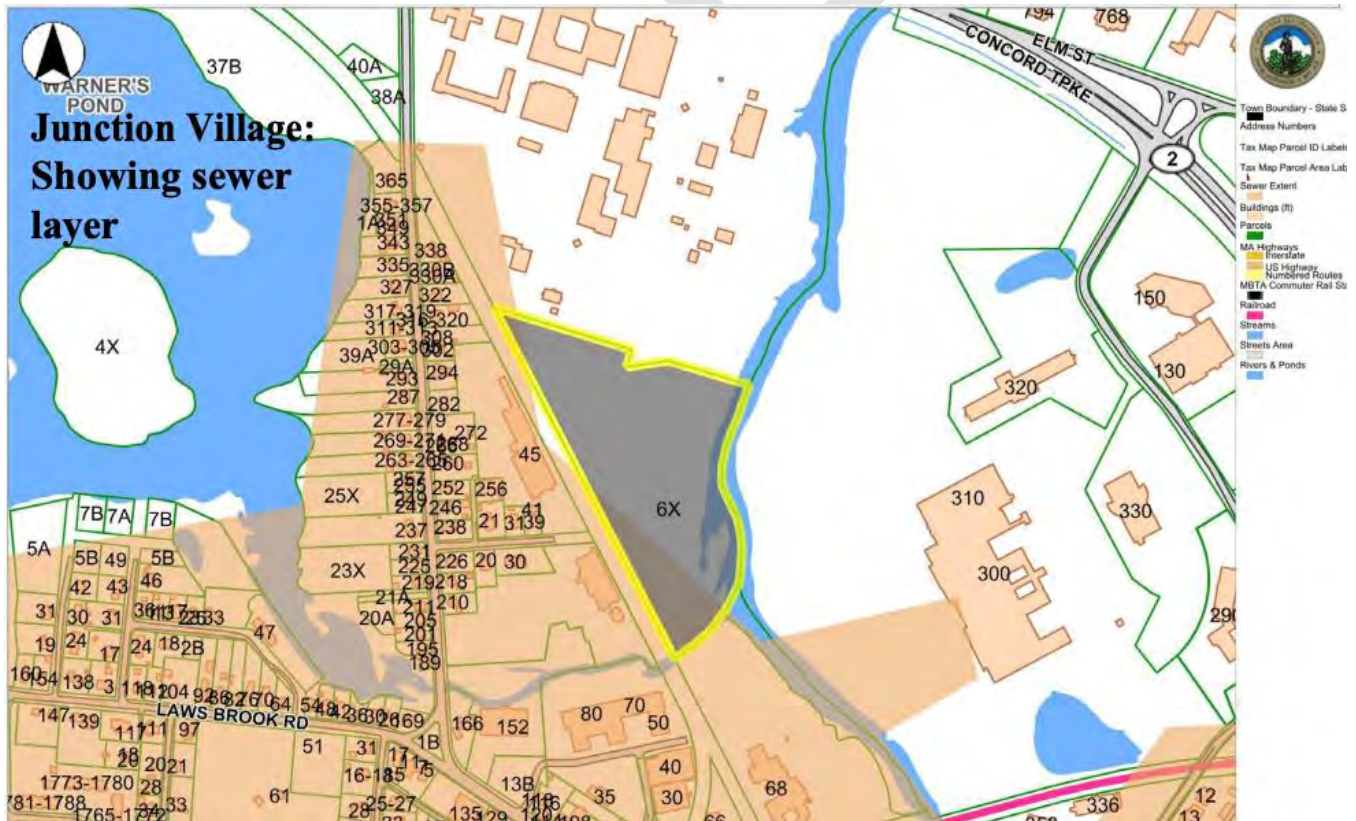
**Background:** In 2013, after years of discussion with the State, the Concord Housing Development Corporation (CHDC-JV, LLC) was given this 12-acre property off Winthrop Street for nominal consideration from the Massachusetts Department of Corrections, pursuant to Chapter 117 of the Acts of 2010, which provides that “[s]uch land shall be used for housing, of which 100 per cent shall be deemed affordable housing as determined by the ranges established by the Concord Housing Development Corporation and for public open space purposes.” The CHDC embarked on a developer selection process in 2014. After broadly reviewing 12 different proposals through public presentations, with Town committees, and with the Select Board, the CHDC selected The Grantham Group and its assisted living proposal, as the town preferred assisted living over family housing. The project, supported at the time by town boards, committees and residents, was included in the 2015 Housing Production Plan approved by the Select Board, Planning Board, and DHCD. The Grantham Group’s Christopher Heights project was permitted for 83 affordable assisted living units. The project received its Comprehensive Permit in 2017, extended through May 1, 2023.

**Status:** Christopher Heights was awarded low-income housing tax credits and public subsidies by DHCD in February 2020 – yet the development was unable to close on the transaction before the COVID pandemic. Because of the severe economic consequences of the pandemic, projects across the state such as this one have been faced with significant cost increases resulting in budget shortfalls. DHCD required this project, as well as 34 others, to reapply for financing with updated pro formas, and made it clear that for developers to be awarded funding, they must demonstrate significant additional financial support from the host municipality. The project was poised to resubmit to DHCD for increased costs and increased subsidies in the fall 2022; and the Concord Municipal Affordable Housing Trust committed \$1-million to access significant additional state financial support for the project. DHCD required that an application for such state funding include a letter of support from “the Town” – that is the Select Board in a town-- but the Concord Select Board declined to do so, since \$2 million in local funding had already been dedicated to the project with the commitment to provide no additional local funds. Ultimately, the developer withdrew from the project. In parallel to the residential financing path, the town pursued open space and recreation uses on the site alongside the residential portion. These plans had progressed to initial design and award of CPA funds for the start of development.

The CHDC owns the site. Over time, the CHDC will reevaluate ideas for the site and obtain community support before embarking on any site design, building preferences and requirements, issuing a request for proposal (RFP), and developing a financing plan.. As all housing units on this site must be affordable, there will likely be significant funding requirements, proportional to the number of units proposed. The prior plan proposed enough units to both qualify for state subsidies as well as achieving the 10%, resulting in a large funding request to the town. As reported in the pipeline section, the units will be available to the SHI in the 5 to10-year timeframe.

**Location:** The 12.8-acre site is located at the end of Winthrop Street and is south of the MCI-Concord correctional facility; east of the Bruce Freeman Rail Trail, north of Nashoba Brook, and west of the Assabet River (Parcel 2013-1).

Site Diagram



3. CMAHT PURSUES THE ACQUISITION OF OTHER LAND FOR THE CREATION OF AFFORDABLE HOUSING, SUCH AS AT 2229 MAIN STREET, 740 ELM STREET (BEST WESTERN), OR THE PEABODY MIDDLE SCHOOL (1232 OLD MARLBORO ROAD), AND OTHER PROPERTIES SUPPORTED AND IN COORDINATION WITH THE SELECT BOARD, CPC, AND TOWN MEETING.

The Concord Municipal Affordable Housing Trust (CMAHT) could advocate for the reuse of one or more school sites for housing, with an emphasis on affordable housing. The CMAHT could lead the effort to make municipal and other properties available for housing whether by purchase or disposition. From there, the CMAHT could sell or transfer to a development entity (for example, the CHDC) with stipulations for creation of affordable housing. The Town could transfer Town-owned land or work with the state to transfer state-owned land to the CMAHT, and then sell or transfer to a development entity (via RFP). Similarly, if the Town invited the CHDC to participate, the Concord Housing Development Corporation (CHDC) could also purchase land and then convey out for development by recruiting mission-based developers. The League of Women Voters reviewed some parcels owned by the Town, CHA, and state, including the Peabody School.

There are several parcels in private ownership which might be appropriate for residential developments across Concord, through 40B or other processes:

- A. 300-310 Baker Ave. – a mixed use location
- B. 221 Baker Ave. (New Life Community Church) – a mixed use location
- C. 874 Barretts Mill Road (near the Concord Rotary)
- D. 100 Main Street (existing office building)
- E. 91 Lowell Road (existing retail building)
- F. 4B Old Road to Nine Acre Corner – open lot adjacent to Care One
- G. Land (12 acres total) at the corner of Old Road to Nine Acre Corner and Old Marlboro Road opposite Emerson Hospital (and currently owned by Emerson Hospital).
- H. 91B Main Street (owned by the State – adjacent to a Habitat for Humanity property)
- I. 7X Old Bridge Road and 80 X Main Street (undeveloped land)
- J. 46 B Fitchburg Turnpike (adjacent to Cold Brook Crossing development on Rt. 117)

See the Appendix and potential development map below for locations.

4. THE CMAHT NEGOTIATES INCREASED AFFORDABLE UNITS IN PRIVATELY DEVELOPED PROJECTS IN FUTURE DEVELOPMENT OPPORTUNITIES AND CREATES SHI UNITS USING BUY-DOWNS TO EXISTING MODERATE UNITS.

The CMAHT could create additional affordable units by issuing an RFP indicating its desire to fund increased affordability in private developments, work with the Planning Board to negotiate increased affordability into future developments, or buying down moderate income units to SHI-eligible levels on resale. These strategies continue to collaborate in fostering private affordable housing development to serve local needs. This would include utilizing CPA and Housing Trust funds to cover gaps in funding through grants or loans, and to demonstrate local commitment to secure competitive funding from other state, federal,

and/or private sources as available. See the Subsidized Housing map below for prioritized locations.

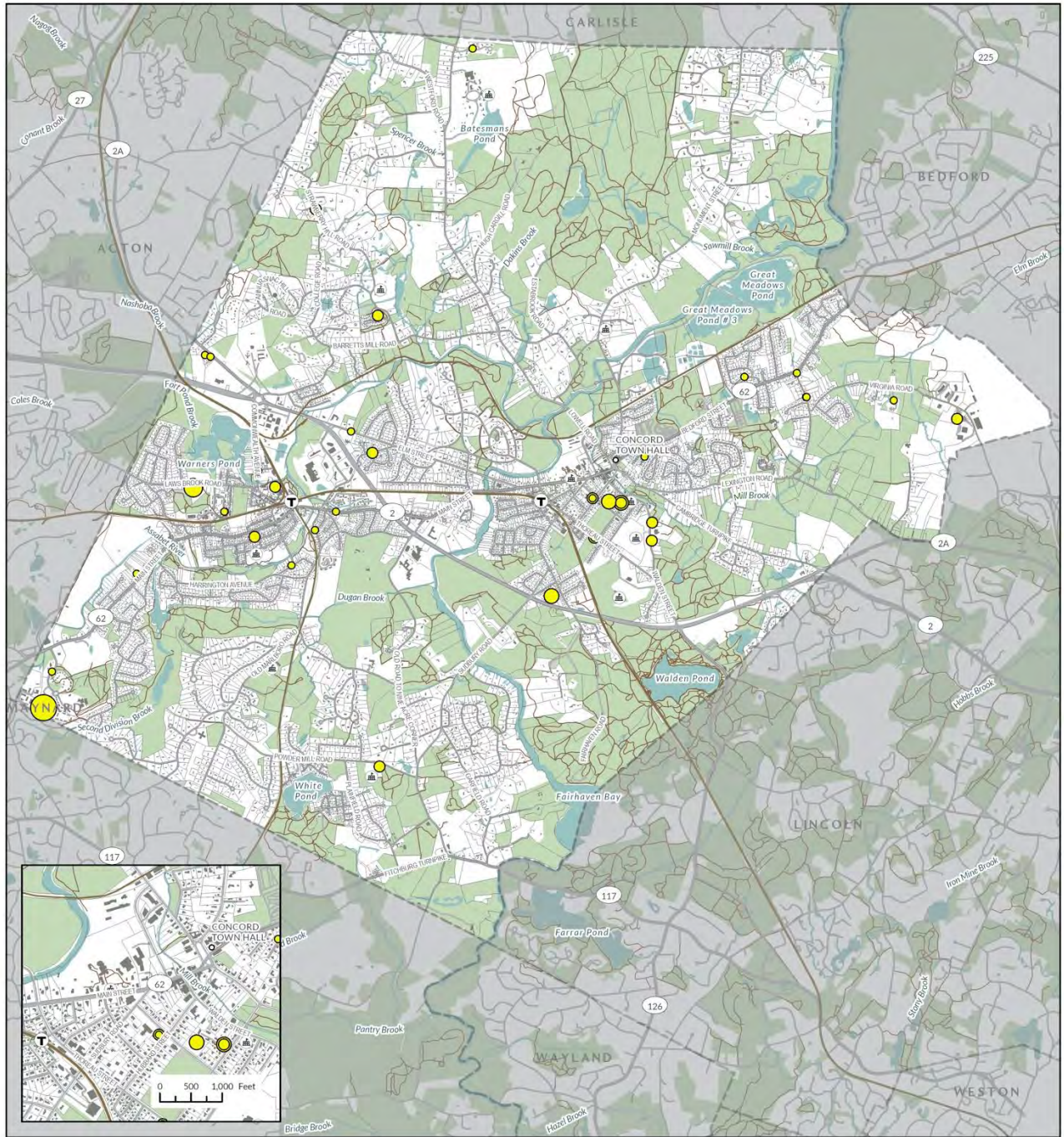
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# Concord Existing SHI Locations

## TOWN OF CONCORD - SUBSIDIZED HOUSING

Prepared by JM Goldson LLC

J M GOLDSON



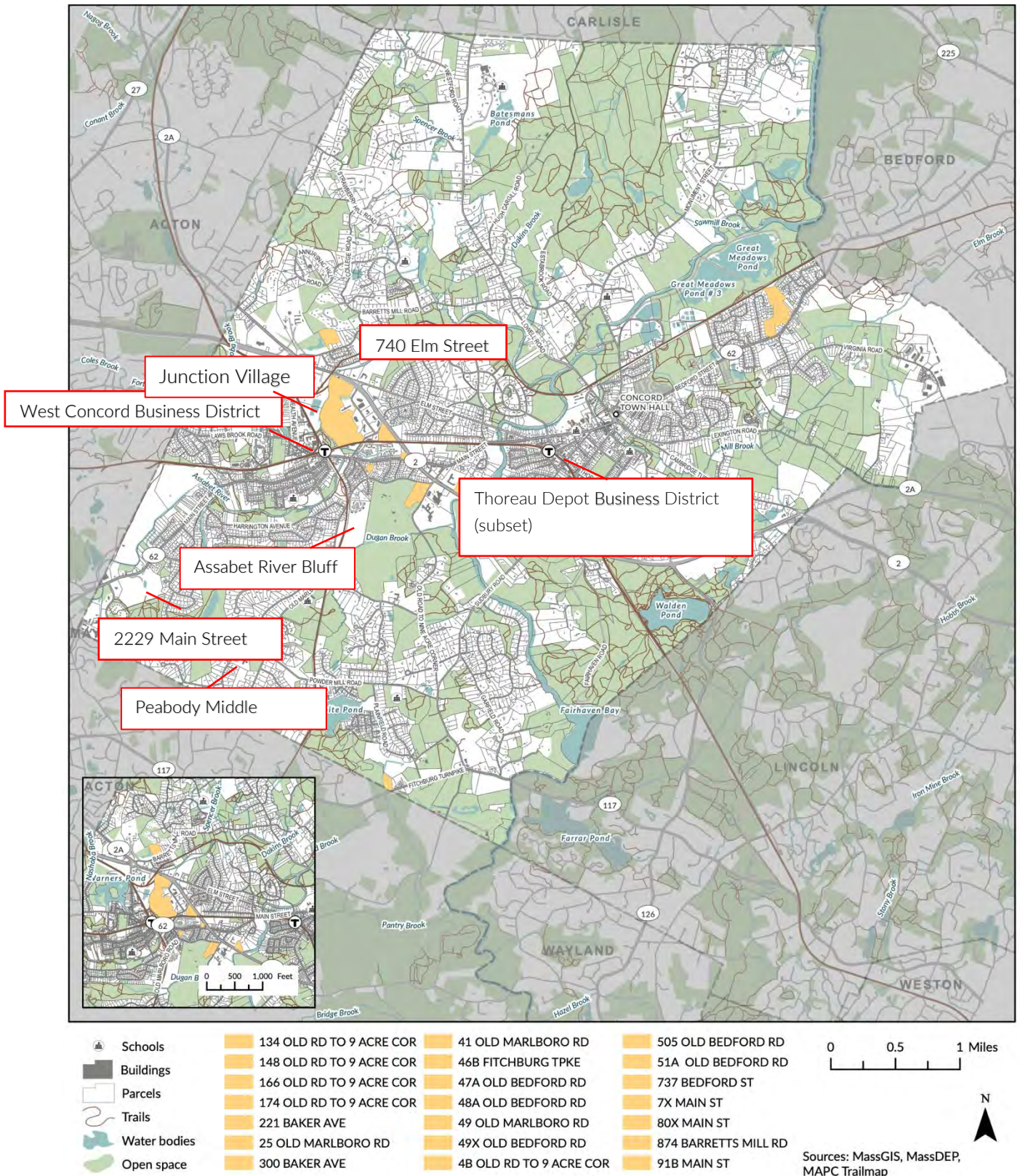
- Schools
  - Buildings
  - Parcels
  - Trails
  - Water bodies
  - Open space
- Subsidized Housing Inventory (SHI) Units**
- 1-4
  - 5-20
  - 21-50
  - 51-80
  - 81-350

*Note: there are 23 additional SHI-listed rental units in DDS group homes that are not shown due to confidential locations.*



Sources: MassGIS, MassDEP, MAPC Trailmap

# Future Potential SHI Development Locations



## PLANNING, POLICIES, AND ZONING STRATEGIES

The Town's authority to update zoning regulations can have powerful effects on encouraging private responses to address local housing needs with minimal local expenditure. The following strategies incorporate recommendations for both local planning initiatives and zoning amendments.

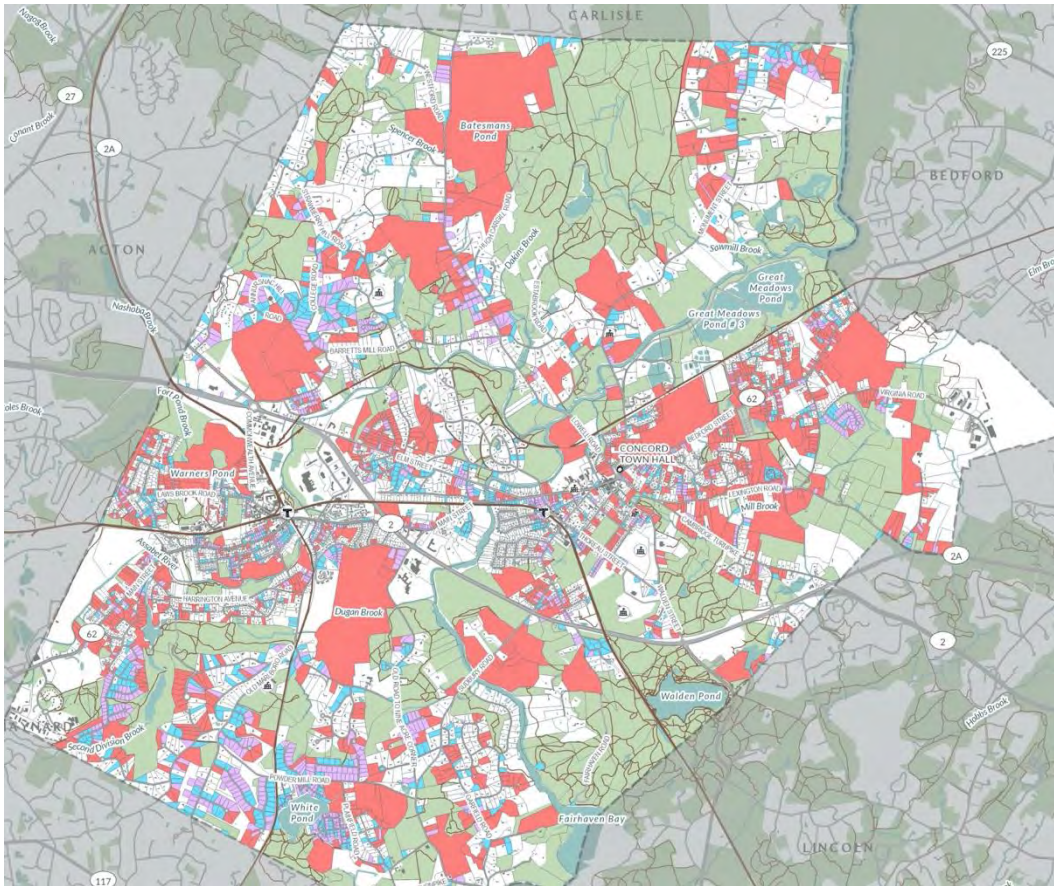
5. CONSIDER AMENDING ZONING TO REDUCE THE MINIMUM LOT SIZE OR FRONTAGE REQUIREMENTS FOR ALL FORMS OF HOUSING, WHERE ENVIRONMENTAL CONDITIONS ALLOW.

Consider zoning amendments to allow smaller lot sizes and frontage requirements where there are soils suitable to handle on-site septic systems per Title 5 requirements. Large minimum lot sizes reduce the number of homes that can be built in Concord, a factor in making housing more expensive<sup>8</sup>. As the map below illustrates, Concord already has several residential areas that have estimated smaller lot sizes than what would be allowed under existing zoning rules.

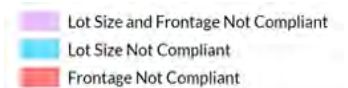
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<sup>8</sup> Glaeser and Ward, 2009, "The causes and consequences of land use regulation: Evidence from Greater Boston." [https://scholar.harvard.edu/files/glaeser/files/the\\_causes\\_and\\_consequences\\_of\\_land\\_use\\_regulation\\_evidence\\_from\\_greater\\_boston\\_2009.pdf](https://scholar.harvard.edu/files/glaeser/files/the_causes_and_consequences_of_land_use_regulation_evidence_from_greater_boston_2009.pdf)

## Town of Concord Dimensional Compliance



- RESEARCH EXAMPLES OF “GREEN” BUILDING DESIGN REQUIREMENTS AND ZONING REGULATIONS TO REQUIRE AND INCENTIVIZE “GREEN” BUILDING DESIGN THAT RESULTS IN OPTIMALLY SITED, SMALLER ENERGY, AND WATER-EFFICIENT HOMES POWERED BY RENEWABLE ENERGY.



Concord’s Climate Action and Resilience Plan (2020) lists “establish policies and incentives for new development to achieve high standards for sustainability and design” as well as “increase electrification and improve energy efficiency of residential buildings” as highly supported actions. As previously mentioned, Concord was one of the first ten communities to file a home rule petition for fossil fuel-free development, and as such looks to participate in DOER’s demonstration project authorized by Section 84 of Chapter 179 of the Acts of 2022. To facilitate Concord’s participation in DOER’s demonstration project, the Select Board is bringing a warrant article to the January 19, 2023 Special Town Meeting to adopt a bylaw to prohibit the expansion of fossil fuel infrastructure for new construction.

The multiple benefits of “green” buildings include significant savings in operating costs, better internal air quality, and significantly less external pollution. Feedback from focus groups and

community forums indicates a strong interest in incentivizing and requiring “green” building design, even if it increases development cost for affordable housing.

There are few local Massachusetts examples in changing building codes or zoning bylaws that meet requirements of the state’s next-generation roadmap and Concord’s Climate Action and Resilience Plan. Boston and Cambridge have had success with their local regulations, while Brookline’s zoning bylaw to eliminate fossil fuels in new construction was also ruled as against state law by the Attorney General. The Town could look outside Massachusetts for regulatory examples from other states, and advocate for statewide “green building” requirements.

7. CONTINUE TO PROMOTE REDEVELOPMENT IN AREAS WHERE GOODS AND SERVICES ARE AVAILABLE, AND WHERE SIDEWALKS, BIKE LANES, AND PUBLIC TRANSPORTATION EXIST, SUCH AS THE THOREAU DEPOT BUSINESS DISTRICT AND THE WEST CONCORD DEPOT AREA.

**Background:** In 2020, the Metropolitan Area Planning Council, together with the Town, developed a plan for the Concord Thoreau Depot. The Town’s Master Plan proposes several recommendations that led to the Concord Thoreau Depot Vision and Action Plan, including renewing and improving Concord’s village centers, facilitating mixed-use development as appropriate, and improving public spaces and connectivity. Zoning amendments were drafted and presented at the annual Town Meeting during spring 2022.



*The Cambridge King Open and Cambridge Street Upper School Campus is Net Zero Ready (Photo by Robert Benson) [www.mma.org](http://www.mma.org)*

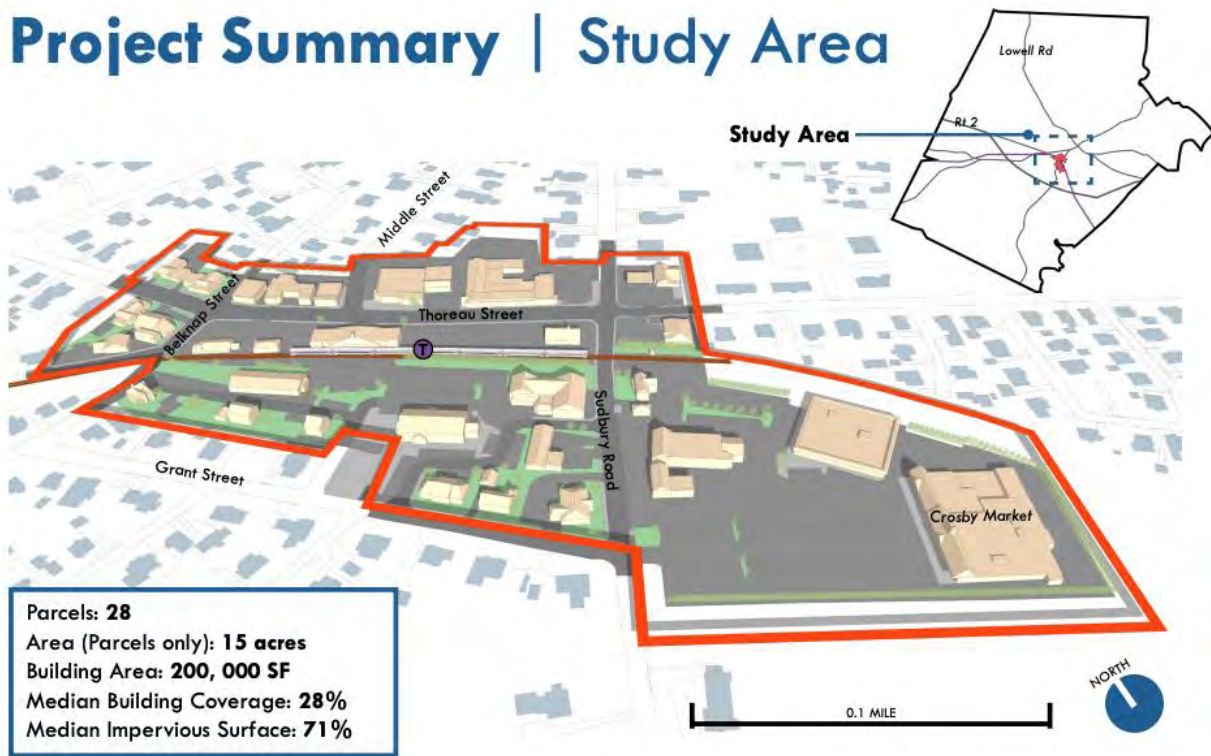
**Status:** At the spring 2022 meeting, the proposed Zoning Bylaw amendment for the Thoreau Depot Business (TDB) District – which would have increased opportunities for developing mixed-use projects with a more defined affordable housing component – failed to pass. The Planning Board should address relevant issues raised by opponents of the Thoreau Depot rezoning, and consider proposing revisions to the zoning map and regulations that will encourage mixed use redevelopment, with a significant housing component, in this area. On a broader level, the Planning Board should continue advocating and studying the zoning and physical impediments to redevelopment of the TDB, West Concord Village, West Concord, and Concord Center Business Districts, to create the opportunity for a mixed-use, multi-family redevelopment that results in a more vibrant, walkable district. These zoning provisions should incorporate a balanced approach to inclusionary housing requirements, which will create a mix of affordable and market-rate housing and (wherever possible) comply with the State’s MBTA Communities Multi-Family

Zoning requirement. The TDB, West Concord Village, West Concord Business, and Concord Center Business districts are smart-growth and transit-oriented development locations due to their proximity to the commuter rail stations. A sub-strategy could be to rezone a portion of the Thoreau District, such as south of the tracks, if there is more public support for zoning passage.

**Location:** Business area surrounding the Thoreau Depot commuter rail station off Thoreau Street and Sudbury Road.

**Site Diagram:** 28 parcels containing 15 acres.

## Project Summary | Study Area



- CONSIDER ZONING CONSISTANT WITH MBTA COMMUNITIES LAW, WITH INCLUSIONARY ZONING REQUIREMENTS ADDED (WEST CONCORD AND/OR THOREAU DEPOT STATIONS).

The central locations of Concord’s train stations and direct access to public transportation make it an ideal location to promote mixed-use and multi-family development that can accommodate affordable housing units. The zoning will need further changes to comply with the multi-family zoning requirement for the MBTA Communities economic development bill that was passed in 2021 (Section 3A of MGL c40a).

MBTA communities are required to have at least one zoning district of reasonable size (50 acres or more) in which multi-family housing is permitted as of right and meets other criteria set forth in the statute:

- Minimum gross density of 15 units/acre
- Not more than one-half mile from Concord's commuter rail station(s)
- No age restrictions
- Suitable for families with children
- Capacity requirement for up to 1094.25 new multi-family units

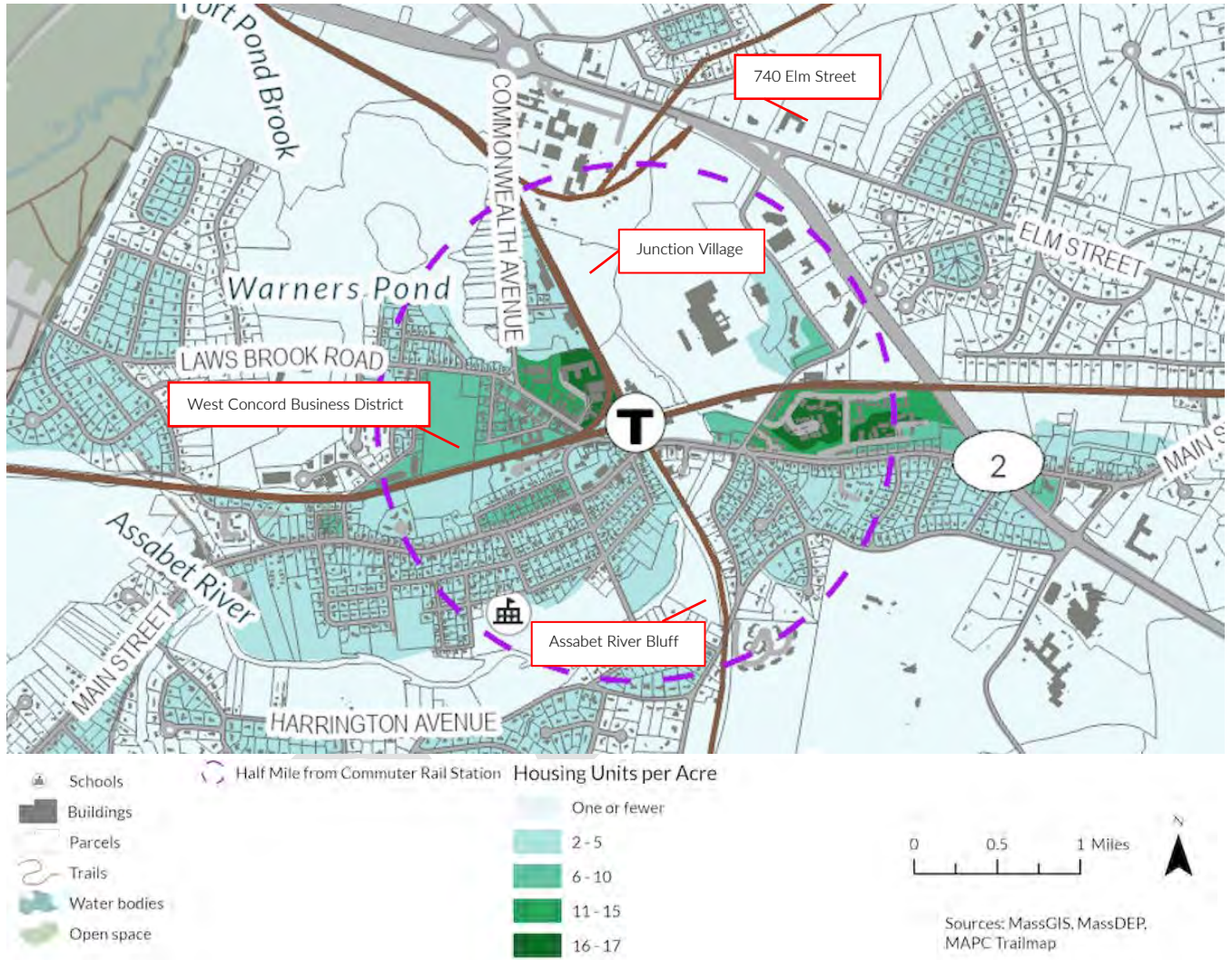
Commuter rail communities, like Concord, will be required to adopt a multi-family zoning district that meets all requirements of the compliance guidelines and is certified by DHCD – and this must be completed by December 31, 2024, or access to key state grant programs will be lost.

Regarding affordability requirements, DHCD's final guidance document provides as follows:

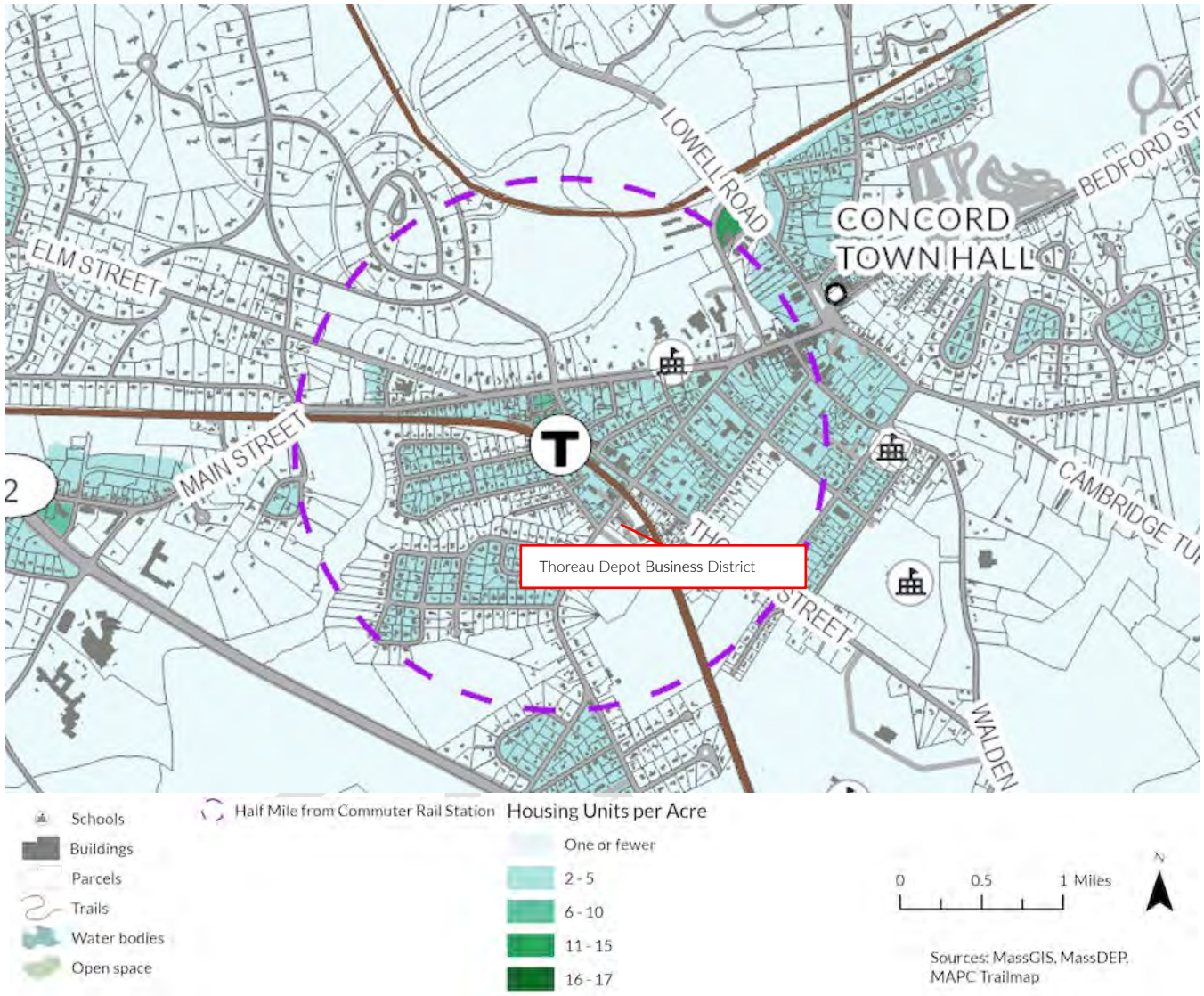
Section 3A does not include any express requirement or authorization for an MBTA community to require affordable units in a multi-family housing project that is allowed as of right. It is a common practice in many cities and towns to require affordable units in a multi-family project that requires a special permit, or as a condition for building at greater densities than the zoning otherwise would allow. These inclusionary zoning requirements serve the policy goal of increasing affordable housing production. If affordability requirements are excessive, however, they can make it economically infeasible to construct new multi-family housing.

For purposes of making compliance determinations with Section 3A, DHCD will consider an affordability requirement to be consistent with as of right zoning if the zoning requires not more than 10 percent of the units in a project to be affordable units, and the cap on the income of families or individuals who are eligible to occupy the affordable units is not less than 80 percent of area median income.

# West Concord Commuter Rail and Existing Housing Unit Density with Potential Areas for Affordable Housing Creation



# Thoreau Depot Commuter Rail and Existing Housing Unit Density with Potential Areas for Affordable Housing Creation



9. IDENTIFY STRATEGIES TO ENHANCE DIVERSITY, EQUITY, AND INCLUSION IN THE TOWN'S HOUSING PLANNING, POLICIES, AND ZONING BYLAWS.

The federal Fair Housing Act (FHAct) and Massachusetts law protect people from discrimination in housing based on the following protected classes: race, color, religion, sex, national origin, familial status, disability, marital status, and age<sup>9</sup>. Fair Housing laws also apply to zoning and planning practices. The FHAct prohibits municipalities and other local government entities from making zoning or land use decisions, or implementing land use policies, that exclude or otherwise discriminate against individuals protected by fair housing law, whether intentionally or by discriminatory effect.

Discriminatory effect can be established by showing that an action, such as a zoning decision, while facially neutral, has either an adverse impact on a minority group or causes harm to the community generally by the perpetuation of segregation. Zoning ordinances may not contain provisions that treat uses such as affordable housing, supportive housing, or group homes for people with disabilities differently than other similar uses, and municipalities may not enforce ordinances more strictly against housing occupied by members of protected classes<sup>10</sup>.

In 2021, the WestMetro HOME Consortium published an “Analysis of Impediments to Fair Housing Choice.” As a member of the WestMetro HOME Consortium, Concord has approved certain actions to further fair housing as listed below. Working with the Concord Diversity, Equity and Inclusion Commission (DEI), Concord plans to:

- Make a public commitment and develop materials to increase knowledge about fair housing, including holding an annual fair housing training and fair housing conference.
- Identify and address discriminatory actions in the private real estate market, including conducting fair housing testing.
- Provide information on fair housing responsibilities to first-time landlords, small property owners, realtors, and public and private housing developers.
- Review zoning ordinances, bylaws and practices that may encourage, unintentionally, discriminatory practices in permitting residential uses.
- Evaluate Local Preference policies.
- Establish written processes detailing intake procedures for the intake process for fair housing complaints and subsequent referral to MCAD, and publish on the town website.

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<sup>9</sup> Overview of Fair Housing Law, <https://www.mass.gov/service-details/overview-of-fair-housing-law>

<sup>10</sup> Resources to affirmatively further fair housing, MAPC, 2018, <https://www.mapc.org/resource-library/zoning-to-affirmatively-further-fair-housing/>

Additionally, Concord will pursue the following local opportunities:

- Work with the DEI Commission to research and implement diversity, equity, and inclusion best practices in Town governance. Listen to diverse voices in the community and assess which additional DEI actions the Select Board should take.

#### 10. STRENGTHEN BYLAW TO ALLOW DUPLEXES BY RIGHT IN ALL ZONES, WITH A RESTRICTION ON OVERALL MASSING AND SCALE.

Two-family houses (also known as duplexes) and townhouses provide alternatives to single-family houses at a scale that can be complementary to existing low-density suburban residential neighborhoods. Concord currently allows duplexes by special permit with a minimum lot area of 10,000 square feet in all residential districts and in some commercial districts. The Town would like to amend the zoning bylaw further to allow duplexes by right in all zones, with a restriction on overall floor area ratio (FAR) and appearance as a single-family home. In recent years, states like California and Oregon have eliminated single-family-exclusive zoning by allowing duplexes as of right.

Concord might evaluate expanding this strategy further to consider changes in areas zoned for single family homes on one of two acre lots to permit creation of three or four units in a single structure provided that the total structure does not exceed a maximum square feet in floor area, the proposed building meets all other relevant zoning and environmental ordinances, and the property has waste water septic capacity sufficient to meet Title 5 requirements for the number of units.

#### 11. CONSIDER THE CREATION OF A TOWN-WIDE INCLUSIONARY ZONING BYLAW.

Inclusionary zoning links development of market-rate housing with production of affordable units using development incentives. Inclusionary zoning, which can apply Town-wide or be limited to select geographic areas, requires a minimum percentage of low- and moderate-income housing in new residential development of a certain type, such as new construction of multifamily housing or substantial rehabilitation.

**Resources:**

- Dixi Wu, “Inclusionary and Incentive Zoning in the Six New England States,” Joint Center for Housing Studies of Harvard University, 2021.<sup>11</sup>
- Massachusetts Executive Office of Energy and Environmental Affairs, “Case Studies – Inclusionary Zoning”<sup>12</sup> which feature Dennis, Barnstable, and Newton, Massachusetts.
- DHCD has created a model inclusionary zoning bylaw.<sup>13</sup>
- *Inclusionary Zoning Guidelines for Cities and Towns* by the Massachusetts Housing Partnership Fund outlines legal considerations and choices for zoning programs.<sup>14</sup>

12. CONSIDER A HOME RULE PETITION TO ALLOW THE TOWN TO REQUIRE AFFORDABLE HOUSING IN BY-RIGHT SUBDIVISIONS OR PAY AN OPTION FEE.

It has not been ruled legal to require that, say, 10 percent of all lots in a by-right subdivision be set aside for affordable housing. Affordable housing can be legally mandated only pursuant to G.L. c. 40A, s.9, para. 2. Without statutory authorization, any other type of mandate would constitute an exaction. Concord could seek a home rule petition to provide the Town with the statutory authorization to require affordable housing in by-right subdivisions.<sup>15</sup>

### LOCAL INITIATIVE AND PROGRAMMATIC STRATEGIES

Local initiative strategies refer to recommendations that the Town can undertake to foster the creation of more housing options, especially affordable housing. These initiatives are not regulatory in nature; rather, they deal with allocation of Town resources, including staff time, funding, and property.

13. CONTINUE FEASIBILITY AND ANALYSIS TO EVALUATE BARRIERS/CONSTRAINTS AND OPPORTUNITIES TO CREATE NEW UNITS ON CONCORD HOUSING AUTHORITY PROPERTIES, AND DESIGNATE CAPITAL FUNDING TOWARD CONSTRUCTION.

In June 2022, the Concord Housing Authority produced a preliminary assessment of potential for additional SHI units at existing CHA properties. The report identified the number of existing units, potential for additional units, obstacles, and recommended actions. The specifics are reported in the pipeline section. There is potential for eight to ten additional units to be added across all properties, pending further study. These locations are shown in orange on the Subsidized Housing map.

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<sup>11</sup> <https://www.jchs.harvard.edu/blog/inclusionary-and-incentive-zoning-six-new-england-states#:~:text=Almost%20200%20localities%20in%20all,the%20construction%20of%20affordable%20housing>.

<sup>12</sup> <https://www.mass.gov/service-details/case-studies-inclusionary-zoning>

<sup>13</sup> <https://progov21.org/Download/Document/OU8N04>

<sup>14</sup> [https://www.mhp.net/writable/resources/documents/inclusionary\\_zoning\\_guidelines\\_netter.pdf](https://www.mhp.net/writable/resources/documents/inclusionary_zoning_guidelines_netter.pdf)

<sup>15</sup> Ziegler, “Inclusionary Zoning: Lessons Learned in Massachusetts.” 2001.

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#	Street	Existing, Potential	Potential	Obstacles	Recommended Action
399-401	Bedford Street	9 existing, 4 potential	Room for 4 more similar units if existing septic system removed and new units connected to Town sewer	Deed restricted to 8 units; previous 40B approval;	Study feasibility of connecting to Town sewer
405	Bedford Street	1 existing, 1-2 potential	Room for a backyard accessory unit, possibly a duplex	if existing septic system removed and new units connected to Town sewer	Study feasibility of connecting to Town sewer
1031	Main Street	1 existing, 1 potential	Remove garage and add SHI accessory dwelling	Town sewer capacity/ approval	Begin planning
156	Peter Spring Road	1 existing, 1 potential	Add 2 <sup>nd</sup> floor SHI unit	On-site septic system capacity	Possible future study
267-279	Walden Street	6 existing, 2 potential	Room for another duplex (2 SHI units) at back of property	Driveway access; flooding potential; Town sewer capacity/approval	Possible future study

Based on the findings of further Housing Authority feasibility study, designate capital cost funding toward construction of additional Housing Authority units.

14. STRENGTHEN THE COORDINATION, FUNDING, AND INTEGRATION OF AVAILABLE SOCIAL SERVICE PROGRAMS FOR LOW-INCOME RESIDENTS AND SENIORS, INCLUDING RESOURCES TO LIVE INDEPENDENTLY AND FUNDING REPAIRS TO MODEST VALUE HOMES FOR HEALTH AND SAFETY, HEALTH SERVICES, ETC. Older adults can also face other challenges in single-family housing situations, such as routine maintenance and upkeep, cost of property taxes, access to services, and transportation. Concord assists older adult residents, veterans, and other vulnerable populations with housing costs including referring them to state or federal programs for fuel/heating, taxes, transportation, rent, and home efficiency and accessibility improvements. The CHDC sponsors a Small Grant Program that awards up to \$5,000 to Income-Eligible Concord residents (at or below 100 percent AMI) to make repairs and alterations to their homes for safety and health reasons. In its ten years of operations, the Small Grant Program has awarded 62 grants, totaling \$175,000, half of which were for senior households.

As Concord's older adult population continues to grow, expand assistance to provide more support at a local level. Leverage state and other public/private programs to maximize such support and the creation of affordable, accessible, and service-enriched housing options, such as co-housing. The Executive Office of Elder Affairs (EOEA) maintains a list of supportive housing sites around the state (currently 41 sites, 6,060 units). Massachusetts also has a system of local Aging Service Access Points (ASAPs), which offer a regional partnership opportunity. Concord's regional organization is Minuteman Senior Services.

The CHDC currently has no revenue or income that can be directed toward the small grant program, and the program is at risk of terminating in the next year or two. This program is not CPA-eligible; thus, wherever it is not eligible under other funding programs, the Town can direct unrestricted funds to provide money for maintenance and rehabilitation of homes.

Note: This program and strategy does not create new affordable housing units but supports existing low and moderate income households' ability to stay in their homes.

#### 15. PROVIDE FUNDING SUPPORT TO THE CONCORD HOUSING DEVELOPMENT CORPORATION TO CREATE AND PRESERVE EXISTING AFFORDABLE UNITS.

In past years, the CHDC has worked with the Town to set aside CPA funding on a nearly annual basis, which assists with preserving existing affordable housing units subject to older restrictions that allow their resale at well above the current affordable levels. Should affordability be at risk with previously appropriated CPA funds, the Concord Housing Development Corporation is poised to preserve existing affordable units. Concord housing entities, such as the Trust or CHDC, intend to continue to purchase higher-priced units when they turn over to preserve these variable rates of affordability.

Community Preservation Act (CPA) funds will continue to be important resources to preserve existing units. This will continue to be an important function to ensure that existing affordable units are not converted to market-rate units and in the process, are removed from the Town's affordable housing stock and the State Subsidized Housing Inventory. Other sources of funding for affordable housing are the American Rescue Plan Act (ARPA), and HOME funds.

#### 16. EXAMINE USING THE BORROWING POWERS OF THE COMMUNITY PRESERVATION ACT TO FUND AND SUPPORT A LARGER AFFORDABLE HOUSING PROJECT.

Since 2006, the Community Preservation Committee has appropriated a total of \$27.1 million across all CPA categories, with 22 percent spent toward community housing per the 2020 CPA plan. In 2021, the Town funded an update to the Housing Production Plan (\$30,000), participation in the Regional Housing Services Program (\$25,000), and an Affordable Housing Buy-Down program (\$233,888). In 2022, \$300,000 in CPA funds were used towards the

acquisition of the 1-acre Assabet River Bluff property for community housing. Given the Town's likely drop below 10 percent on the state SHI in May 2023, this borrowing opportunity may be explored.

17. THE SELECT BOARD SUPPORTS THE CONCORD MUNICIPAL AFFORDABLE HOUSING TRUST (CMAHT) BY CONTINUING TO SEEK FUNDING AT TOWN MEETING THROUGH COMMUNITY PRESERVATION ACT AND ARPA FUNDING; AND BY CONTINUING TO SEEK STATE AUTHORIZATION FOR REAL ESTATE TRANSFER FEE AND BUILDING PERMIT SURCHARGE TO FUND THE TRUST, INCLUDING PROFESSIONAL RESOURCES NEEDED TO CARRY OUT AN EXPANDED MISSION.

In its October 2018 "Preliminary Report to the Concord Select Board," the Affordable Housing Funding Committee (AHFC) states: "Concord needs predictable, sustainable revenue sources so that funds are readily available when affordable home opportunities arise. Much of the development of affordable homes is opportunistic, occurring when a suitable property becomes available. Without the necessary funds to act quickly, valuable opportunities could be missed." To accomplish this, the 2019 Town Meeting approved AHFC's recommendations to accept the Municipal Affordable Housing Trust state statute, authorize the filing of two home rule petitions to fund the trust, and approve an initial annual appropriation of \$500,000 for the Trust. The home rule petitions filed for a real estate transfer fee and a building permit surcharge were refiled for the 2021-2022 legislation session. Both bills are still pending in state legislature (as of 2022), were reported out favorably by committee; but not enacted by either the house or senate; and will need to be refiled for the 2023-2024 legislative session.

The Concord Municipal Affordable Housing Trust has recommended that the Select Board insert onto the warrant for the January 19, 2023 Special Town Meeting two articles to authorize for the state legislative session convening in January 2023 the home rule petitions filed previously for a real estate transfer fee (S.2437) and a building permit surcharge (S.2438) to fund the Trust, amended as follows: (1) to provide that all funds from both special acts be deposited in the "Concord Municipal Affordable Housing Trust"; (2) to add the Trust to the list of local entities exempt from the real estate transfer fee; (3) to amend the portion of the purchase price subject to the real estate transfer fee from "exceeding \$600,000" to "exceeding \$1,000,000"; (4) to define affordable housing income limits for both special acts as being at or below 150% of area median income; and (5) to provide for acceptance of either special act by vote at an annual or special town meeting.

Should the home rule petitions for a real estate transfer fee and a building permit surcharge be enacted by the state, some \$2.6 million per year would be available to the CMAHT, which should include increased level of staff and professional resources for its expanded mission.

This level of sustained funding requires dedicated professional resources needed to carry out the Trust's expanded mission with this level of annual funding.

In 2019, 2020, 2021, and 2022 the CMAHT received \$500,000 in interim funding at Town Meeting, totaling \$2 million. Funding should continue to be allocated for the CMAHT at Town Meeting, including through CPA, HOME, and ARPA funds.

## CAPACITY, COORDINATION, AND EDUCATION

The following strategies are recommended for expanding the Town's capacity to implement housing initiatives through staffing and infrastructure, coordination with other local or regional entities, and education.

### 18. CONTINUE TO HOST AND SUPPORT MEMBERSHIP IN THE REGIONAL HOUSING SERVICES OFFICE.

The Regional Housing Services Office (RHSO) is a collaboration between the nine member towns of Acton, Bedford, Concord, Lexington, Lincoln, Maynard, Sudbury, Wayland, and Weston. The RHSO was formed in 2011 through an Inter-Municipal Agreement (later amended), assisted by the Metropolitan Area Planning Council (MAPC) who is the regional planning agency for Greater Boston. The RHSO serves its member towns by assisting with the municipal function of affordable housing, including proactive monitoring, program administration, project development, and resident assistance. Because of the RHSO staff's expertise and the intermittent nature of affordable housing work, the monitoring, administration, development, and assistance is delivered more efficiently and effectively. The Town of Concord, which is the Lead Community, hosts the RHSO at its office and employs RHSO staff.

The RHSO currently supports the CHDC and will support the Concord Municipal Affordable Housing Trust (CMAHT) nominally starting in FY24, through part-time staff support. In general, interviewees felt positively about the Trust, but since it is very new, several people discussed the need for more dedicated staffing. Sustaining a level of professional capacity is critical to the effectiveness of the Town's efforts to implement community priorities as established through this planning effort. If the real estate transfer fee were to be enacted, the anticipated level (\$2.6 million) of annual sustained funding would require a full-time staff support for the Trust. For example, hiring an Affordable Housing Director to assist the Town and Trust with their programs and initiatives.

19. EXPLORE OPPORTUNITIES FOR STRATEGIC SEWER CONNECTIONS AND EXPANSION TO ALLOW DENSER DEVELOPMENT IN SMART-GROWTH LOCATIONS AROUND VILLAGE CENTERS AND AFFORDABLE HOUSING DEVELOPMENTS.

In 2007, an integrated wastewater capacity and planning initiative was undertaken due to capacity constraints identified within the existing wastewater treatment plant (WWTP), , culminating in a report titled, "The Status of Municipal Wastewater Treatment in Concord, Massachusetts," which concluded that there was insufficient treatment capacity available within the existing WWTP to accommodate future development or redevelopment within the existing sewer area.

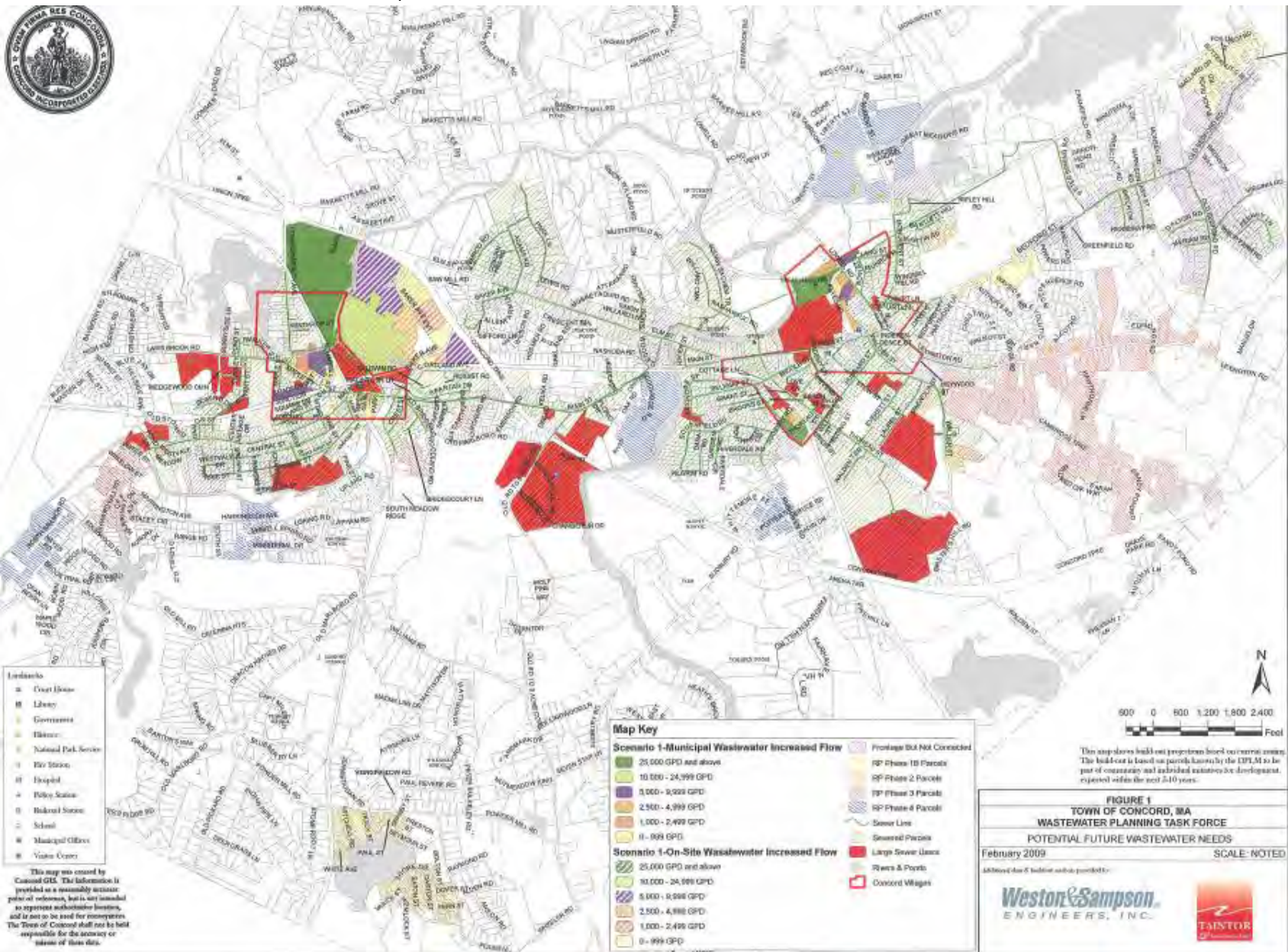
The Wastewater Task Force was formed in 2008 to address the report's findings and evaluate how the Town should proceed. The Task Force determined that the Town needed to increase its municipal sewer capacity from 320,000 to 598,000 gallons per day to meet existing needs and anticipated development, respectively, over the next 20 years. The Task Force developed a plan to allow for the use of the remaining capacity, with a provision that new users will provide funding required to expand Concord's facilities when needed. As an interim measure, the Public Works Commission, acting as sewer commissioners, also adopted stringent regulations for extending and expanding sewer service.

The Integrated Planning Policy Statement in the 2007 "Status of Municipal Wastewater Treatment in Concord, MA" report emphasizes the importance of ensuring the Town's capacity to provide wastewater services help achieve its other related planning goals such as affordable housing<sup>16</sup>. The Public Works Commission has adopted a policy to allow exceptions to the existing stringent regulations on extending and expanding sewer service in cases where 100% of a development is dedicated for affordable housing, when supported by other town boards and committees; however, this has been done for very small affordable housing developments. The Town, through the Public Works Commission and Planning Board, may want to revisit the 2007 Status Report and examine actions to be taken that will expand and extend sewer capacity for the town.

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<sup>16</sup> Integrated Planning Policy Statement, <https://www.concordma.gov/DocumentCenter/View/946/Policy-Statement-PDF>

# Town of Concord Massachusetts Comprehensive Wastewater Treatment Plan: Recommended Areas<sup>17</sup>



20. CONTINUE TO PARTICIPATE IN THE WEST METRO HOME CONSORTIUM.

The HOME Investment Partnerships Program is the largest federal block grant to state and local governments, and it was designed exclusively to create affordable housing for low-income households. The WestMetro HOME Consortium includes the following 13 municipalities: Bedford, Belmont, Brookline, Concord, Framingham, Lexington, Natick, Needham, Newton, Sudbury, Waltham, Watertown, and Wayland. Concord joined in 2010 and receives an annual allocation of funds for affordable housing projects. Concord also has access to pooled HOME funds awarded through an annual RFP process.

21. CONTINUE PARTICIPATING IN THE LOCAL OPTION FOR HOUSING AFFORDABILITY COALITION TO PETITION THE LEGISLATURE FOR HOME RULE OR OTHER STRATEGIES TO PROVIDE LONG-TERM FUNDING FOR THE CMAHT (REAL ESTATE TRANSFER FREE AND BUILDING PERMIT SURCHARGE).

The Local Option for Housing Affordability (LOHA) Coalition is working to create and support affordable housing with a real estate transfer fee. The LOHA Coalition is composed of the following cities and towns: Boston, Concord, Somerville, Nantucket, Brookline, Provincetown, Chatham, Cambridge, and Arlington. It also includes about one hundred organizational members. A real estate transfer fee and building permit surcharge would provide an estimated \$2.6 million per year to the CMAHT. Both bills, still pending in state legislature, reported out favorably by committee in 2022. Concord should refile, and keep refiling, its home rule petition for the transfer fee and the permit surcharge in case the state-wide legislation does not pass. **More information:** [www.realestatetransferfee.org](http://www.realestatetransferfee.org).

22. CONTINUE INTEGRATED HOUSING COLLABORATION THROUGH THE CONCORD HOUSING ROUNDTABLE AND CLARIFY THE ROLES AND RESPONSIBILITIES FOR HOUSING PRODUCTION PLAN IMPLEMENTATION (INCLUDING THE SELECT BOARD, CHDC, CMAHT, CHA, CHF, AND COMMUNITY PRESERVATION COMMITTEE).

The Concord Housing Roundtable was developed to assist its various municipal housing groups in coordination and collaboration. The Concord Housing Authority, Concord Housing Foundation, Concord Housing Development Corporation, and Concord Municipal Affordable Housing Trust convene quarterly to discuss local housing issues and to build solutions. The Community Preservation Committee is another local housing research group that should continue to be invited to Roundtable meetings. The groups including in the Concord Housing Roundtable should clarify the roles and responsibilities for Housing Production Plan implementation, including what level of staffing and professional support is required to implement the plan.



23. CONTINUE AFFIRMATIVE OUTREACH TO TARGET POPULATIONS [LOW-INCOME, SENIORS, BIPOC (BLACK, INDIGENOUS, AND PEOPLE OF COLOR), CONCORD EMPLOYEES] TO INCREASE AWARENESS OF EXISTING AFFORDABLE HOUSING PROGRAMS AND ASSISTANCE AT LOCAL AND STATE LEVELS.

The Town should undertake concerted efforts to provide ongoing outreach to target populations to increase awareness of existing affordable housing programs and assistance at local and state levels. Some possible methods for consideration include<sup>18</sup>:

- Translate information on affordable housing programs and assistance in multiple languages.
- Identify networks and nearby organizations serving people of color, immigrant groups, low-income families, veterans, and other protected classes; they may share information with their members, and/or provide language assistance or volunteers.
- Faith-based organizations in Concord can provide leads on specific outreach and service programs they offer.
- Advertise through local and regional social media and newspapers (Kidon Media lists national and statewide ethnic newspapers).
- Connect with the local hospital to distribute outreach materials.
- Include educational institutions on the outreach list. School social workers and parent-teacher organizations are good sources for spreading information among parents.

24. FOSTER OUTREACH AND EDUCATION ABOUT LOCAL AND REGIONAL AFFORDABLE HOUSING NEEDS THROUGH A POSITIVE PUBLIC RELATIONS CAMPAIGN.

The Town of Concord should build a volunteer group or subcommittee tasked with developing and implementing a marketing strategy surrounding the Town's housing. By working collaboratively with its local and regional housing partners, the Town can enhance and promote community education and create heightened transparency regarding the Town's subsidized housing status, and the consequences of falling below 10 percent on the SHI.

Responsibilities may include:

- Applying for marketing grants
- Designing informational brochures and graphic signage for public spaces throughout the Town
- Hosting public forums and panels with guest speakers who can talk about the national housing crisis
- Tabling at Concord community events
- Submitting editorials and press releases to local news agencies

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<sup>18</sup> MAPC Affirmative Marketing, <https://www.mapc.org/resource-library/affirmative-marketing/>

- Developing a curriculum for presentations to K12 classrooms, civic groups, and municipal boards/committees

A regional example of such a campaign was launched by the Lower Cape Community Housing Partnership, which was built by the Community Development Partnership to garner public support for affordable housing. Since launching, they have trained 141 municipal officials on affordable housing issues and strategies, and they've had 98 residents participate in their advocacy training program. Moreover, the Lower Cape Community Housing Partnership launched a media campaign to tell the stories of Lower Cape residents benefiting from affordable housing initiatives.<sup>19</sup>



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<sup>19</sup> <https://capecdp.org/affordable-housing/community-housing-partnership/media-campaign>

## ACTION PLAN

The matrix below provides a more specific assignment of the responsible entity, supporting entity, and timeframe to implement each housing strategy.

#	Housing Strategies	GOAL 1 – PRODUCTION GOAL	GOAL 2 - SUPPORT HEALTHY AGING	GOAL 3 - SMART GROWTH HOUSING	GOAL 4 - DEVELOPMENT CONSIDERS CLIMATE CHANGE	GOAL 5 - STABILIZING HOUSING FOR VULNERABLE RESIDENTS	GOAL 6 - SMALLER HOME PRESERVATION/ CONSTRUCTION	GOAL 7 - DEI OUTREACH AND EDUCATION	GOAL 8 - STRENGTHEN PARTNERSHIPS	GOAL 9 - PRESERVE LONG-TERM AFFORDABILITY
1	THE CHDC CREATES SHI UNITS AT ASSABET RIVER BLUFF.									
	Timeframe: Ongoing Implementation Lead: CHDC Implementation Support: CMAHT, CPC, CHF									
2	THE CHDC PURSUES THE CREATION OF SHI UNITS AT (JUNCTION VILLAGE.									
	Timeframe: Ongoing Implementation Lead: CHDC Implementation Support: CPC, CMAHT, CHF									
3	CMAHT PURSUES THE ACQUISITION OF OTHER LAND FOR THE CREATION OF AFFORDABLE HOUSING.									
	Timeframe: Ongoing Implementation Lead: CMAHT Implementation Support: CHDC, SB, CPC									
4	CMAHT NEGOTIATES INCREASED AFFORDABLE UNITS IN PRIVATELY DEVELOPED PROJECTS.									
	Timeframe: Ongoing Implementation Lead: CMAHT									

	Implementation Support: SB, CPC, Town staff								
5	CONSIDER AMENDING ZONING TO REDUCE THE MINIMUM LOT SIZE OR FRONTAGE REQUIREMENTS.								
	Timeframe: Mid-term Implementation Lead: PB Implementation Support: Town staff								
6	RESEARCH EXAMPLES OF "GREEN" BUILDING DESIGN REQUIREMENTS AND ZONING REGULATIONS.								
	Timeframe: Short-term Implementation Lead: PB, SB Implementation Support: Town staff, CAAB								
7	PROMOTE REDEVELOPMENT IN AREAS WHERE GOODS AND SERVICES ARE AVAILABLE NEAR TRANSPORTATION.								
	Timeframe: Ongoing Implementation Lead: PB Implementation Support: Town Staff								
8	ZONING CONSISTENT WITH MBTA COMMUNITIES LAW.								
	Timeframe: Mid-term Implementation Lead: PB, SB Implementation Support: Town staff								
9	IDENTIFY STRATEGIES TO ENHANCE DIVERSITY, EQUITY, AND INCLUSION IN THE TOWN'S HOUSING PLANNING, POLICIES, AND ZONING BYLAWS.								
	Timeframe: Short-term Implementation Lead: SB Implementation Support: DEI Commission, Town staff, CMAHT								
10	STRENGTHEN BYLAW TO ALLOW DUPLEXES BY RIGHT IN ALL ZONES.								
	Timeframe: Mid-term Implementation Lead: PB Implementation Support: Town staff								
11	CONSIDER THE CREATION OF A TOWN-WIDE INCLUSIONARY ZONING BYLAW.								

	<b>Timeframe:</b> Mid-term <b>Implementation Lead:</b> PB <b>Implementation Support:</b> Town staff, CMAHT									
12	CONSIDER A HOME RULE PETITION TO ALLOW THE TOWN TO REQUIRE AFFORDABLE HOUSING IN BY-RIGHT SUBDIVISION CREATION OR PAY AN OPTION FEE.									
	<b>Timeframe:</b> Mid-term <b>Implementation Lead:</b> SB, PB <b>Implementation Support:</b> Town staff, CMAHT									

13	ANALYSIS TO CREATE NEW UNITS ON CONCORD HOUSING AUTHORITY PROPERTIES.									
	<b>Timeframe:</b> Ongoing <b>Implementation Lead:</b> HA <b>Implementation Support:</b> RHSO, Town staff									
14	STRENGTHEN THE COORDINATION, FUNDING, AND INTEGRATION OF AVAILABLE SOCIAL SERVICE PROGRAMS.									
	<b>Timeframe:</b> Mid-term <b>Implementation Lead:</b> CHDC <b>Implementation Support:</b> CPC, Town staff									
15	FUNDING SUPPORT TO THE CONCORD HOUSING DEVELOPMENT CORPORATION.									
	<b>Timeframe:</b> Ongoing <b>Implementation Lead:</b> CHDC <b>Implementation Support:</b> CPC, CMAHT, SB, Town staff									

16	EXAMINE USING THE BORROWING POWERS OF THE COMMUNITY PRESERVATION ACT.									
	<b>Timeframe:</b> Short-term <b>Implementation Lead:</b> CPC <b>Implementation Support:</b> CHDC, CMAHT									
17	SELECT BOARD SUPPORT CONCORD MUNICIPAL AFFORDABLE HOUSING TRUST (CMAHT) BY CONTINUING TO SEEK									

	FUNDING AT TOWN MEETING; AND BY CONTINUING TO SEEK STATE AUTHORIZATION FOR REAL ESTATE TRANSFER FEE AND BUILDING PERMIT SURCHARGE TO FUND THE TRUST.									
	<b>Timeframe:</b> Ongoing <b>Implementation Lead:</b> CMAHT <b>Implementation Support:</b> SB, CPC									
18	CONTINUE MEMBERSHIP IN THE REGIONAL HOUSING SERVICES OFFICE.									
	<b>Timeframe:</b> Ongoing <b>Implementation Lead:</b> SB <b>Implementation Support:</b> CPC, CMAHT									

19	EXPLORE OPPORTUNITIES FOR STRATEGIC SEWER CONNECTIONS AND EXPANSION.									
	<b>Timeframe:</b> Ongoing <b>Implementation Lead:</b> SB, PB <b>Implementation Support:</b> Town staff									
20	CONTINUE TO PARTICIPATE IN THE WEST METRO HOME CONSORTIUM.									
	<b>Timeframe:</b> Ongoing <b>Implementation Lead:</b> SB <b>Implementation Support:</b> Town staff									
21	CONTINUE PARTICIPATING IN THE LOCAL OPTION FOR HOUSING AFFORDABILITY COALITION.									
	<b>Timeframe:</b> Ongoing <b>Implementation Lead:</b> CMAHT <b>Implementation Support:</b> SB									

22	CONTINUE HOUSING COLLABORATION THROUGH THE CONCORD HOUSING ROUNDTABLE.									
	<b>Timeframe:</b> Short-term <b>Implementation Lead:</b> CMAHT <b>Implementation Support:</b> SB, CHA, CHF, CHDC, CPC									
23	CONTINUE AFFIRMATIVE OUTREACH TO TARGET POPULATIONS .									
	<b>Timeframe:</b> Short-term <b>Implementation Lead:</b> SB <b>Implementation Support:</b> DEI, CMAHT									
24	FOSTER OUTREACH AND EDUCATION ABOUT LOCAL AND REGIONAL AFFORDABLE									

	HOUSING NEEDS THROUGH A POSITIVE PUBLIC RELATIONS CAMPAIGN.									
	<b>Timeframe:</b> Short-term <b>Implementation Lead:</b> CMAHT <b>Implementation Support:</b> DEI, CHA, CHF, CHDC, CPC, RHSO, Town staff									

**SB** = Select Board    **CMAHT** = Concord Municipal Affordable Housing Trust    **PB** = Planning Board  
**CPC** = Community Preservation Committee    **CHDC** = Concord Housing Development Corporation  
**RHSO** = Regional Housing Services Office  
**Ongoing:** Continuous, every year    **Short-term:** 0-2 years    **Mid-term:** 3-5 years    **Long-term:** 5-10 years

## CHAPTER 3: DEMOGRAPHIC PROFILE

An analysis of local demographic data and housing stock reveals key characteristics and trends in Concord that help explain housing need and demand. To understand how the town compares to its neighbors, Concord data is compared to other municipalities in the RSHO region (Acton, Bedford, Lexington, Lincoln, Maynard, Sudbury, Wayland, and Weston), and to the bordering town of Carlisle that is part of the regional Concord/Carlisle High School, and finally to Middlesex County and Massachusetts. The information in this section provides the framework for the housing production goals and strategies crafted to address local housing concerns.

This Housing Production Plan is grounded in a thorough examination of Concord’s demographic makeup. An analysis of the current population, household composition, race and ethnicity, and educational attainment provides insight into existing housing need and demand. Projections of Concord’s future residential composition help inform housing planning efforts.

### KEY FINDINGS

- Concord has had more substantial population growth in the past two decades than in prior recent decades. Following a population boom between 1960 and 1970, population growth was modest for a few decades, but has grown 9% between 2000 and 2020.
- The percentage of white residents in Concord dropped from 91.6% in 2000 to 83% in 2020. The number of residents who identify as “other” or mixed race has seen the most growth – from 549 residents in 2000 to 1,501 residents in 2020. There was a decrease in the percentage of Black or African-American residents between 2010 and 2020 – from 3.8% of Concord’s population in 2010, to 3% in 2020.

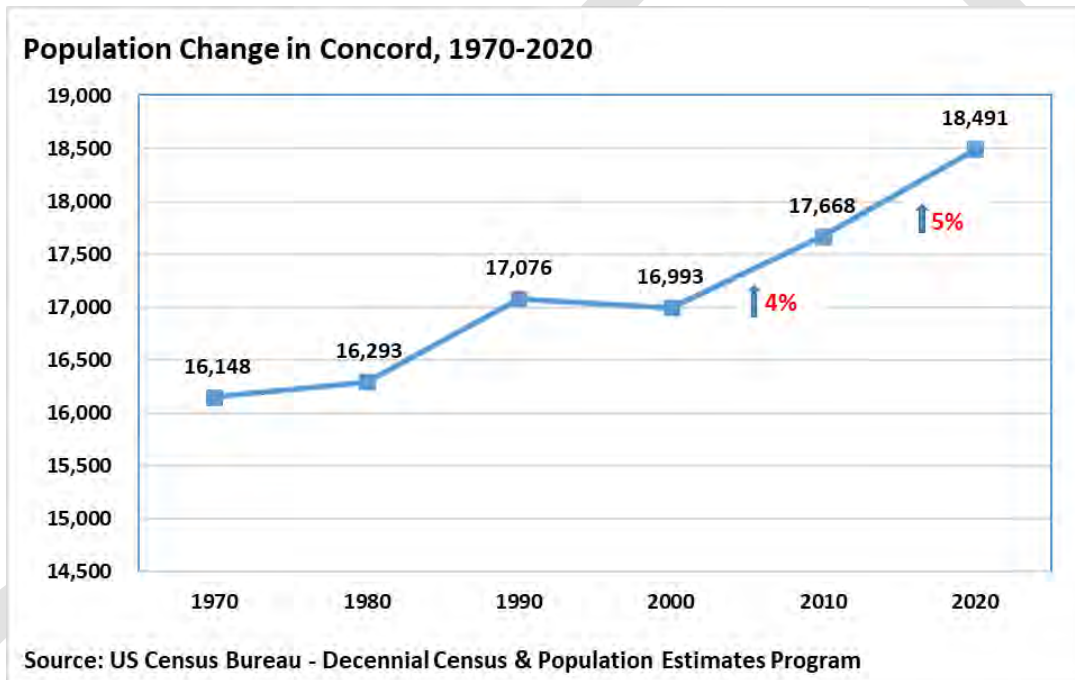
- Younger households comprise a smaller and smaller percentage of Concord's population. Older households (55+) were a little less than half (46%) of Concord's population in 2000, but were 57% of households in 2010, and 61% of households in 2020.
- Household size is increasing, as well as the number of non-family households.
- Although 70% of Concord's households have incomes over 100,000, 25% (1,619) of households have incomes less than \$75K. The great majority of lower income households are 65+.

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# DEMOGRAPHICS

## POPULATION

Following a population boom between 1960 and 1970, population growth in Concord was modest for a few decades, but increased more substantially between 2000 and 2020. Concord's population grew 4% between 2000 and 2010, and another 5% between 2010 and 2020. This growth exceeded projections that the Metropolitan Area Planning Council (MAPC) made in 2014 and which were used in Concord's 2015 HPP. Concord's population growth has also exceeded more recent 2018 projections from UMass Donahue Institute. Concord's 2020 population is already higher than both these entities had predicted for 2030. Since no other population projections are available, we will not be using projections in this report.



Nearly every age cohort has seen a growth in population in the last decade. However, the largest group – 35-54 year olds – saw a 6% decrease in population. The youngest cohort and two of the oldest cohorts are the groups that saw the greatest percentage increase between 2010 and 2020. Children ages 0 through 4 grew 43% in the last decade, adults ages 55-64 grew by 18%, and adults ages 65-74 grew by 23%.

Population Change by Age in Concord						
Age	1990	2000	2010	2020	Change 2010-2020	% Change 2010-2020
<b>0-4</b>	966	979	748	1,071	323	43%
<b>5-19</b>	2,920	3,518	3,533	3,879	346	10%
<b>20-34</b>	3,666	1,893	1,804	1,951	147	8%
<b>35-54</b>	5,366	5,921	5,441	5,095	-346	-6%
<b>55-64</b>	1,892	1,872	2,596	3,064	468	18%
<b>65-74</b>	1,238	1,406	1,577	1,939	362	23%
<b>75+</b>	1,028	1,404	1,969	1,951	-18	-1%

Source: US Decennial Census & 2020 American Community Survey

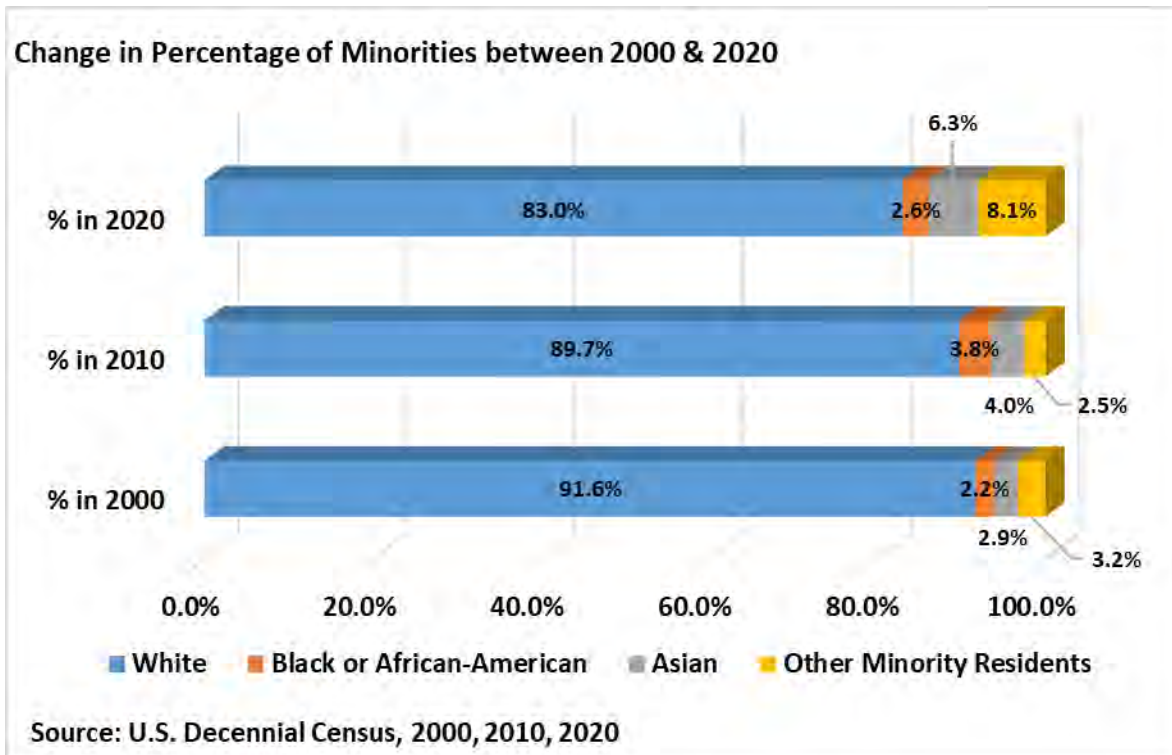
## RACE & ETHNICITY

The racial and ethnic composition of Concord (which includes the populations of inmates at two Massachusetts Department of Corrections facilities) has experienced larger changes between 2010 and 2020 than it did in the previous decade. According to the 2020 American Community Survey (ACS), although the vast majority of Concord is still white, the percentage has dropped from 89.7% in 2010 to 83% in 2020.

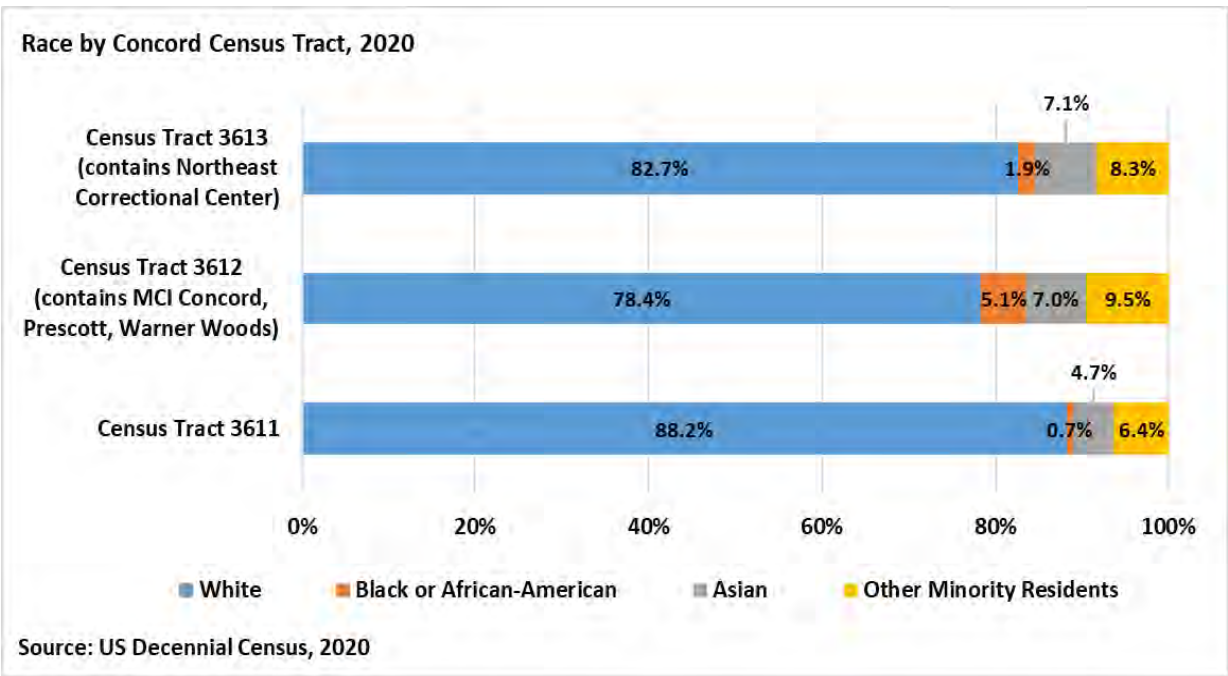
During this time, certain minority populations in Concord have experienced more substantial increases. Most notably, there has been a 244% increase in the number of Concord residents who identify as being part of “other minority groups” – from 2.5% of the population in 2010, to 8%, in 2020, or an additional 1,065 people. There has also been a 65% increase in the number of residents who identify as Asian during this period – from 4% of the population to 6%, or an additional 462 people. Conversely, there was a decrease in the percentage of Black or African-American residents between 2010 and 2020 – from 3.8% of Concord’s population in 2010 to 2.6% of Concord’s population in 2020. Furthermore, according to the Massachusetts Department of Corrections, there are currently a total of 219 Black/African-American people in the prisons located in Concord.<sup>20</sup> This means that there are only 263 Black/African-American people in Concord who are part of the non-institutionalized population. Therefore, only 1.4% of the non-institutionalized population in Concord is Black/African American.

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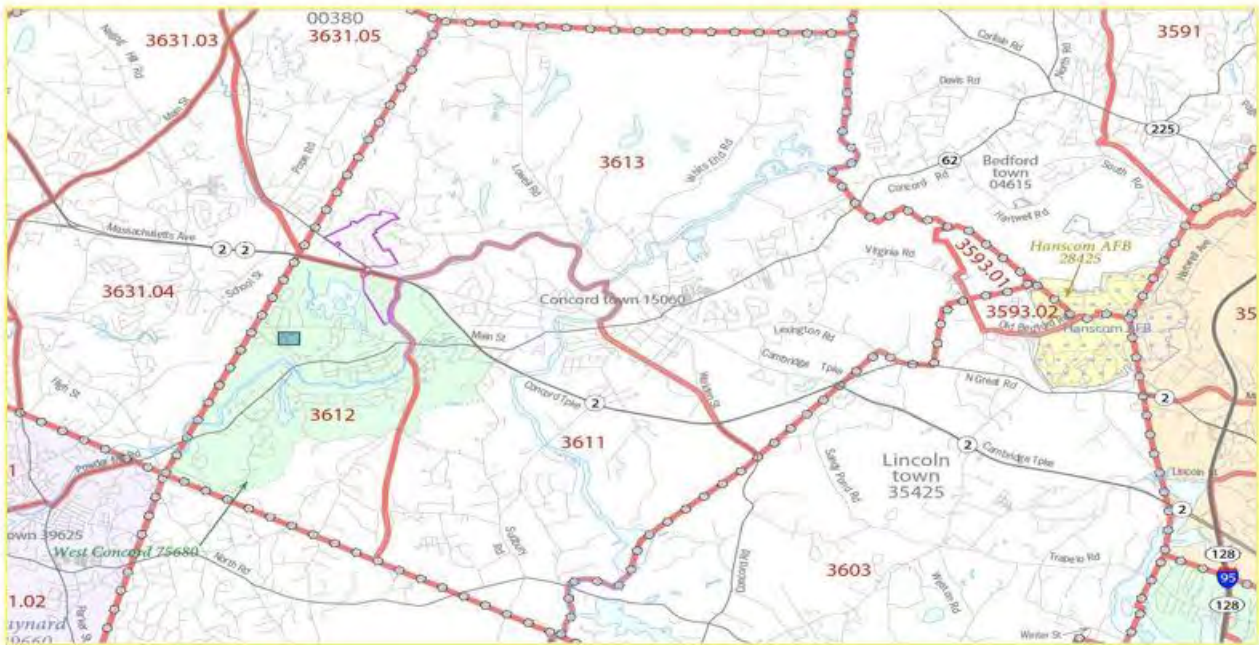
<sup>20</sup> Massachusetts Department of Corrections Institutional Fact Cards - <https://www.mass.gov/doc/institutional-fact-cards-january-2021/download>



Census tract data breaks down the population even more and shows that the percentage of minorities is higher in the census tracts that contain correctional institutions and large, multi-family housing developments. This is line with data from the Massachusetts Department of Corrections -52% of the black population in census tract 3612 is at MCI, and 43% of the black population in census tract 3613 is at NECC.



Map of Concord Census Tracts



### DISABILITY

The U.S. Census Bureau defines a disability as a long-lasting physical, mental, or emotional condition. Residents with one or more disabilities can face housing challenges if there is a shortage of housing in a community that is affordable, physically accessible, and/or provides the supportive services that people with disabilities may need. According to the 2020 American Community Survey (ACS), 9.3% of Concord’s civilian, non-institutionalized

population report having one or more disabilities. This includes 1.7% of children under 18 years of age, and 6% of the population aged 18 to 64 years of age. Notably, 27% of Concord’s 65 and older population reported having one or more disabilities. Concord’s rate of disability among all age groups is comparable to the rates in Middlesex County and Massachusetts overall.

<b>Population by Disability Status</b>						
	<b>Concord</b>		<b>Middlesex County</b>		<b>Massachusetts</b>	
	Estimate	Percent	Estimate	Percent	Estimate	Percent
<b>Total Civilian Noninstitutionalized Population</b>	17,438		1,591,288		6,800,682	
<b>With a Disability</b>	1,625	9.3%	150,386	9.5%	795,507	11.7%
<b>Under 18 years</b>	4,569		317,330		1,359,002	
<b>With a Disability</b>	79	1.7%	12,096	3.8%	63,741	4.7%
<b>18 to 64 years</b>	9,216		1,035,456		4,340,893	
<b>With a Disability</b>	565	6.1%	68,342	6.6%	387,106	8.9%
<b>65 years and over</b>	3,653		238,502		1,100,787	
<b>With a Disability</b>	981	26.9%	69,948	29.3%	344,660	31.3%

Source: 2020 American Community Survey

According to RHSO records, Concord currently has 23 units of housing on its Subsidized Housing Inventory (SHI) that are managed by the Massachusetts Department of Developmental Services (DDS) for people with developmental disabilities. In addition, Community Housing Options manages 20 units of housing for people with disabilities. Lastly, there are a handful of units at Concord Housing Authority (CHA) properties that are accessible to people with physical disabilities. There are four accessible units at Peter Bulkeley Terrace and one accessible unit at Everett Gardens Expansion, both elderly (60+)/disabled developments, and there are three additional accessible units among the CHA’s family properties.<sup>21</sup>

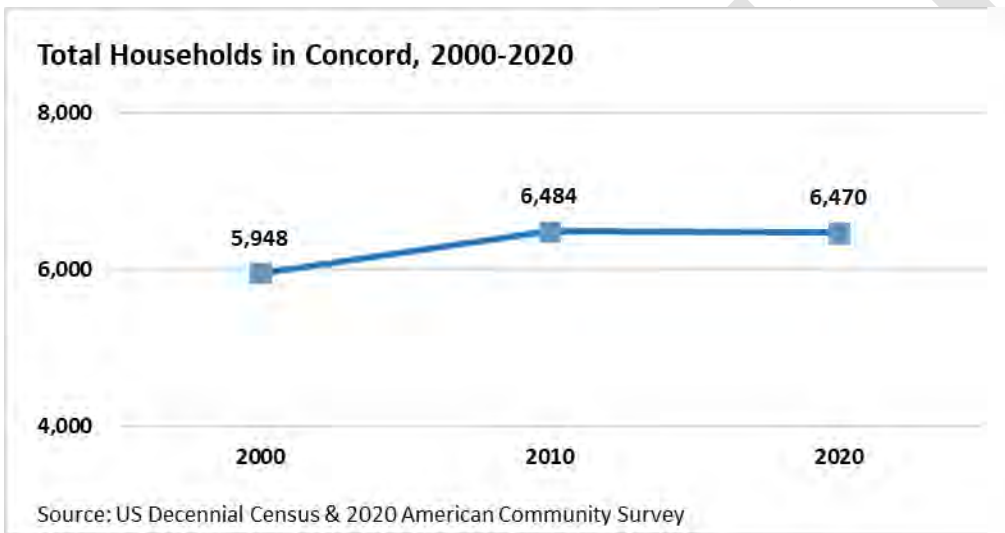
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<sup>21</sup> Conversation with Concord Housing Authority (CHA) executive director on 10/13/22.

# HOUSEHOLDS

## HOUSEHOLD COMPOSITION

The number of households in a community is often considered even more important than population since the number and type of households within a community, and household spending power, correlate to housing unit demand. Each household resides in one dwelling unit, regardless of the number of household members. As of 2020, Concord is home to 6,470 households, a slight decrease from the 6,484 households in 2010. Therefore, although the population has been increasing, the number of households has remained basically flat.



## FAMILY & NON-FAMILY HOUSEHOLDS

Different household types often have different housing needs or preferences. For example, a single senior will prefer a smaller dwelling unit than a family with children. A municipality's composition of household types can indicate how well suited the existing housing inventory is to current and future residents.

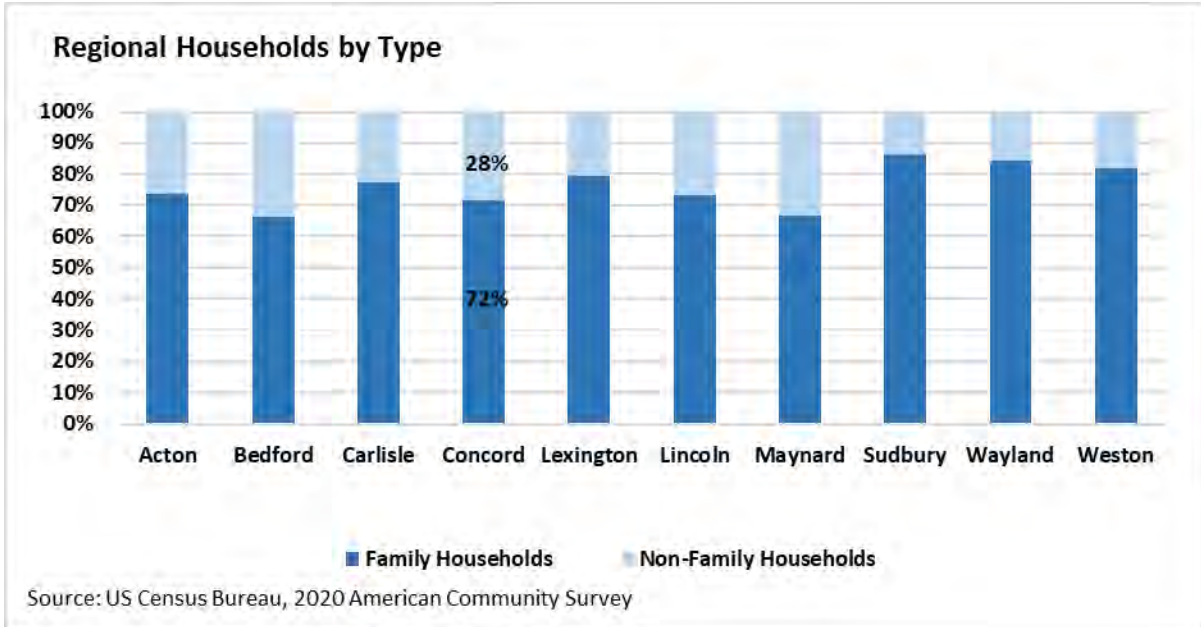
The Town of Concord's 6,470 households can be divided between families and non-families. Families include any household with two or more related persons living together. Non-families are either households with only one person, or households with more than one non-related persons living together.

<b>Concord Households by Type</b>			
	Estimate	% of Family Households	% of Total Households
<b>Family Households</b>	4636		72%
With own children under 18 years	2279	49%	35%
<b>Married Couples</b>	4215	91%	65%
With own children under 18 years	2044	44%	32%
<b>Male Householder, No spouse present</b>	109	2.4%	1.7%
With own children under 18 years	26	0.6%	0.4%
<b>Female Householder, No spouse present</b>	312	7%	5%
With own children under 18 years	209	5%	3%
	Estimate	% of NonFamily Households	% of Total Households
<b>Nonfamily Households</b>	1834		28%
<b>Householder living alone</b>	1603	87%	25%
65 years and older	1071	58%	17%
<b>Household with more than one person</b>	231	13%	4%
<b>Total Households</b>	6470		

Source: 2020 American Community Survey

A large majority of Concord's households are family households. Of Concord's family households, the vast majority are married (91%) and a little under half have children under the age of 18 (49%). Notably, according to 2020 American Community Survey (ACS) data, there are 209 more families with children now than when Concord last did an HPP in 2015.

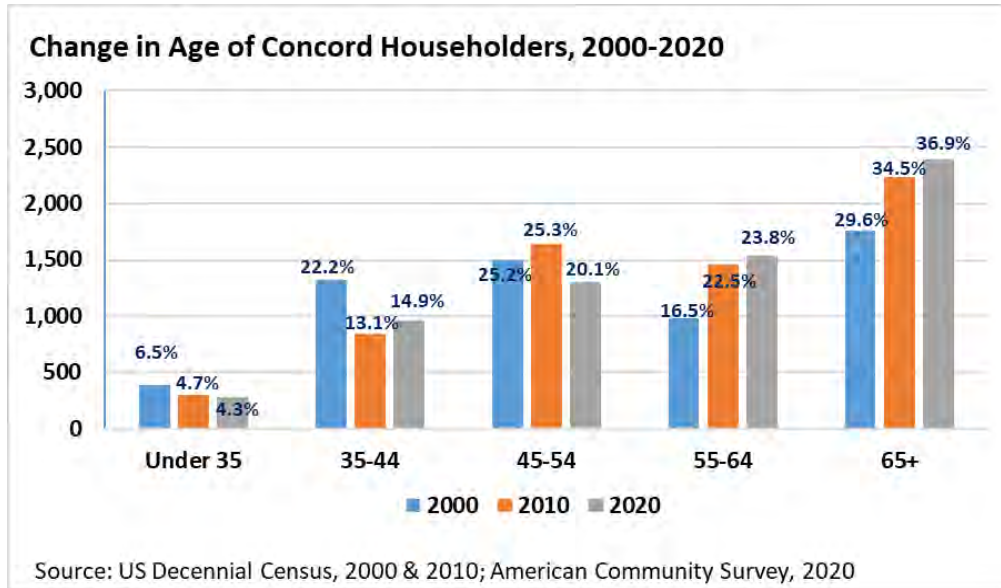
Of the nonfamily households, 87% are single-person households and 67% of those are 65 years of age or older.



Although Concord’s households are primarily families (72%), Concord has one of the higher rates of non-family households (28%) in the group of comparison communities. Only Bedford and Maynard have higher percentages of non-family households. Middlesex County and Massachusetts overall, however, both have comparatively higher proportions of non-family households (36% and 37% respectively).

### HEAD OF HOUSEHOLDER BY AGE

In addition to household type, the age of heads of households can indicate demand for particular unit types and sizes. As of 2020, the largest group of Concord householders is age 65+ (37%), and this age group has been steadily increasing during the past two decades. The next largest age group, 55-64, has also been growing. All three other age groups – under 35, 35-44, and 45-54 – represent a smaller segment of Concord’s population in 2020 than they were in 2000.



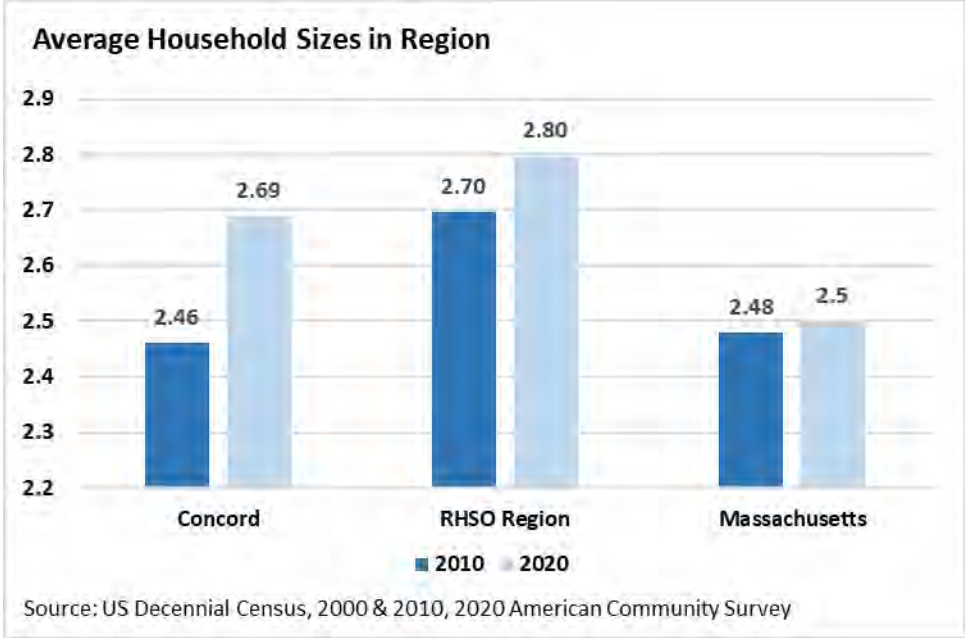
## HOUSEHOLD SIZE

The trend of decreasing household size from 2000 to 2010 has reversed according to recent 2020 data. Average household size increased from 2.46 people in 2010 to 2.69 in 2020. The increasing size was consistent over both owner-occupied and renter-occupied households. Although data is not specifically available to explain the increase in household size, possibilities include an increase in multigenerational households or households with a greater number of minor children.

<b>Average Household Sizes in Concord</b>			
	2000	2010	2020
Overall Households	2.62	2.46	2.69
Owner-Occupied Households	2.77	2.65	2.9
Renter-Occupied Household	1.99	1.84	2.1

Source: US Decennial Census, 2000 & 2010, 2020 American Community Survey

Concord's increasing household size during this period is consistent with trends in the region, as well as in Massachusetts. However, the increase in Concord's household size is greater than almost all other towns in the region, as well as in Massachusetts overall. Following the increase, Concord's household size in 2020 now falls right in the middle of comparison towns.



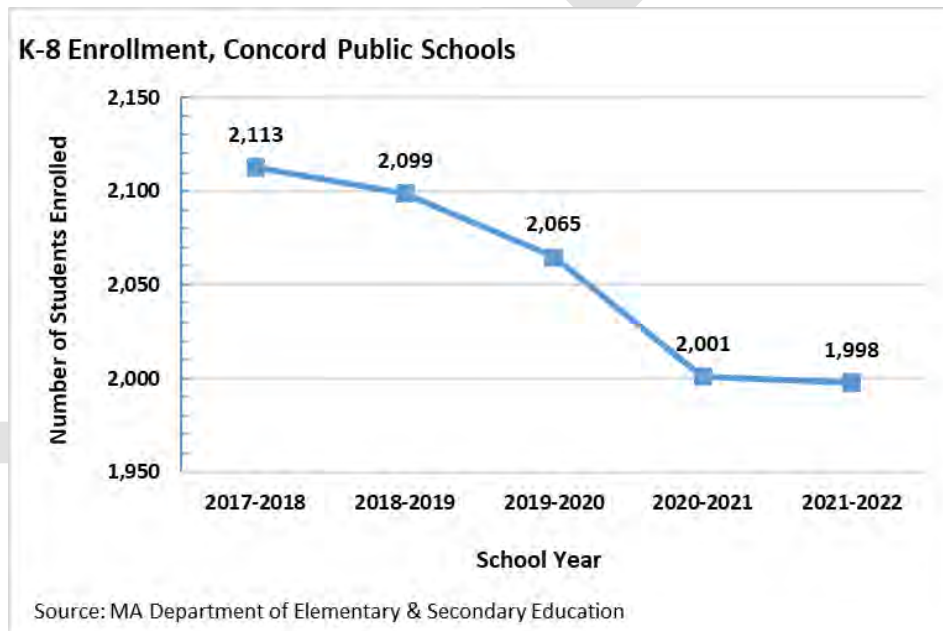
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# EDUCATION

## ENROLLMENT

Enrollment in the Concord School District provides additional insight into recent population and economic trends within town. Concord is served by both the Concord Public Schools (CPS) for kindergarten through eighth grade and the Concord-Carlisle Regional School District (CCRS) for grades nine through twelve.

Concord's K-8 school enrollment has been modestly, but consistently declining in recent years. In the past five years, Concord's K-8 public schools have seen a 5.4% decrease in enrollment. According to the New England School Development Council's (NESDC) 2021-2022 Enrollment Projection Report included in the Superintendent and School Committee's FY23 Adopted Budget<sup>22</sup>, this trend of flat or slightly decreasing K-8 enrollment will continue through 2031 (note that this projection is a combined number with Carlisle's K-8).



<sup>22</sup> <https://www.concordps.org/wp-content/uploads/2022/03/FY23-CCRSB-Budget-Book-03.14.2022.pdf>

<b>Concord School Enrollment (Grades K-8)</b>		
<b>Year</b>	<b>K-8 Enrollment</b>	<b>% Change from previous year</b>
2017-2018	2,113	n/a
2018-2019	2,099	-0.7%
2019-2020	2,065	-1.6%
2020-2021	2,001	-3.1%
2021-2022	1,998	-0.1%

Source: Massachusetts Department of Elementary and Secondary Education

Concord-Carlisle High School has seen very modest increases in enrollment over the last five years. Between 2018 and 2020, there was an increase of less than 10 students, but the past two school years have seen larger jumps in enrollment. Enrollment during the last school year ending in June 2022 was 1,323, an increase of 50 students or 4% from the school year ending in 2018.<sup>23</sup> However, NESDC anticipates decreases over the next ten years, with a projected enrollment of 1,286 next school year, then 1,235 in the 2026-2027 school year, and down to 1,227 in the 2031-2032 school year.

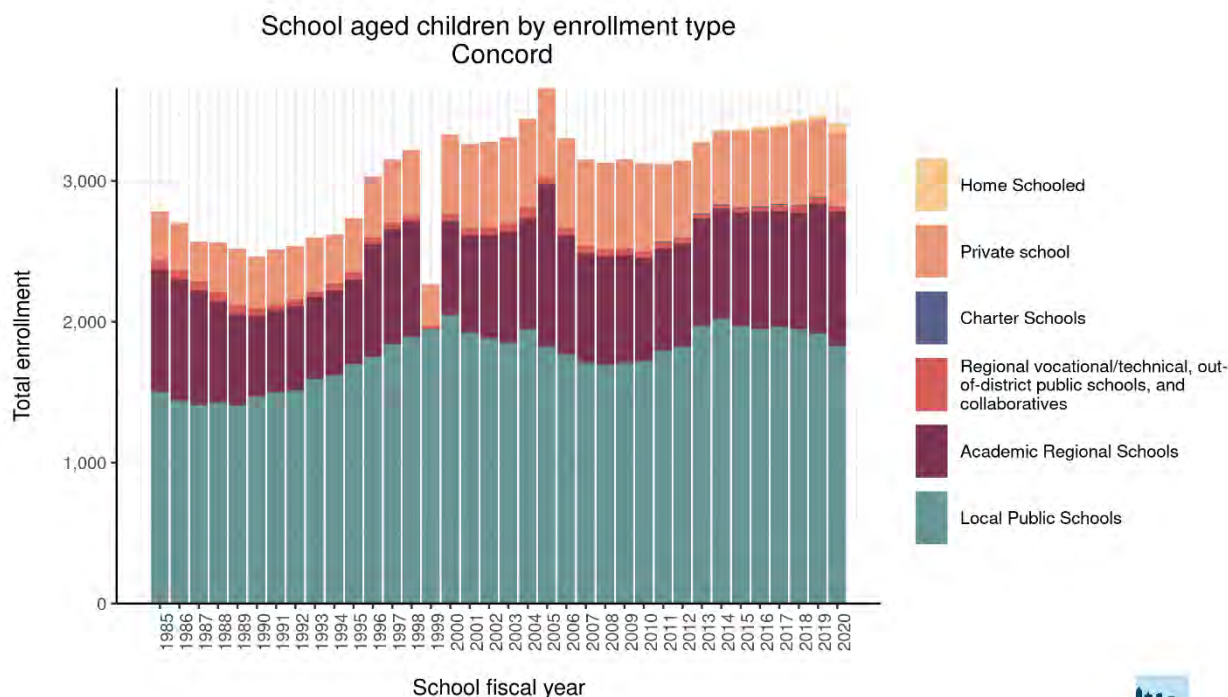
Concord and Concord-Carlisle Public Schools are not the only option for Concord children. Families may choose to send their children to a private school, a charter school, a regional vocational/technical school, or families may home school. Below is a chart provided by Massachusetts Housing Partnership’s DataTown website that shows how many Concord children attended school between 1985 and 2020, and what types of schools they attended. The bottom green bar in this chart represents Concord K-8 public schools, and the maroon bar right above represents Concord-Carlisle Regional High School. These bars demonstrate what was stated above – K-8 enrollment in the past several years has been declining, while enrollment at the high school is up slightly.

The chart also shows more historical data and we can see that K-8 public school enrollment started increasing in 2010, continued increasing until 2014, and has now been gradually decreasing. The increases in the high school came later which makes sense – as the influx of kids in the elementary schools aged, they moved on to the high school. Very few Concord children choose to attend regional vocational/technical and charter schools and those numbers have not fluctuated much over the years. Private school attendance increased in the early 2000’s and has been fairly consistent with little ups and downs ever since. Home schooling also represents only a small number of Concord children. Home schooling saw a substantial increase from 2019 to 2020, but still remains a small number overall.

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<sup>23</sup> MA Department of Elementary & Secondary Education - <https://profiles.doe.mass.edu/analysis/enrollment.aspx?orgcode=06400000&orgtypecode=5&>

Finally, this chart shows that the overall number of school age children in Concord grew in the nineties and into the early 2000's, then dipped back down between 2007 and 2011. The number of school-aged children increased modestly in 2012 and 2013, but has been pretty flat since then. Based on the projections from the NESDC, Concord Public Schools are not currently anticipating enrollment increases in the coming years.



Source: Massachusetts Department of Elementary and Secondary Education



## EDUCATIONAL ATTAINMENT

In Concord, 72.5% of residents 25 years or older have earned a bachelor's degree or higher educational attainment. On the other end of the spectrum, the rate of incomplete high school education is a low 4.9%. The percentage of people who only completed high school is 12.5%, and the percentage of people with some college is 10%. This high level of educational attainment has been in place in Concord for quite a while, and is growing. Only 66% of the population had a bachelor's degree or higher when the last HPP was prepared according to the 2013 ACS data used at that time.

<b>Educational Attainment in Concord</b>			
	<b>Concord</b>	<b>Middlesex</b>	<b>Massachusetts</b>
Less than high school diploma	4.9%	6.3%	8.9%
High school graduate	12.5%	18.5%	23.5%
Some College	10.0%	18.1%	23.0%
Bachelors Degree	27.4%	28.1%	24.5%
Graduate or professional degree	45.1%	28.9%	20.0%

Source: 2020 American Community Survey

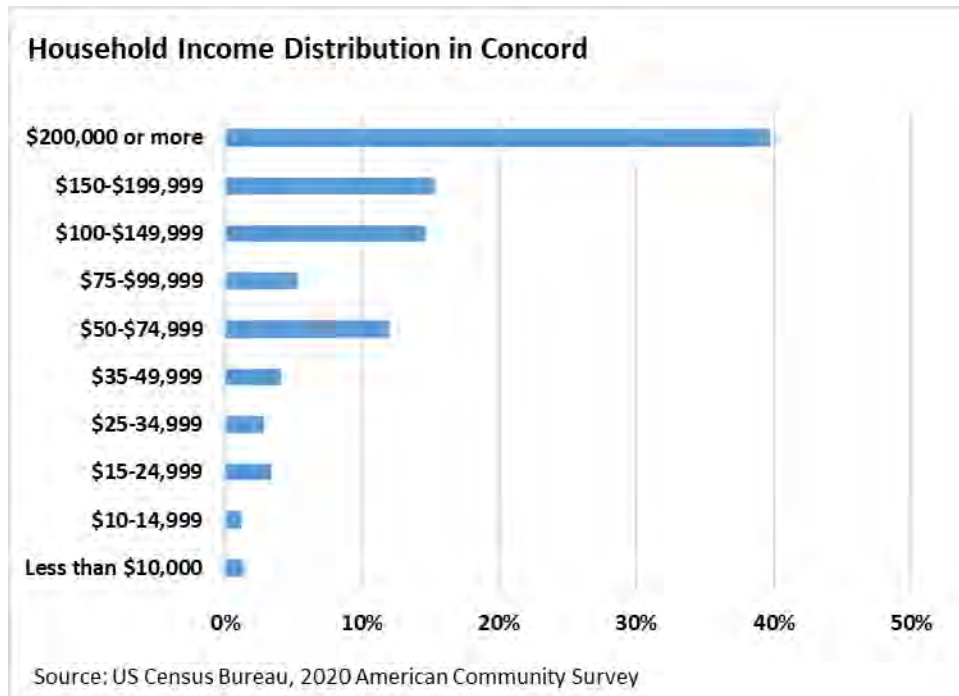
Concord’s rate of residents with a college degree or higher educational attainment is significantly higher than that of Middlesex County and Massachusetts overall. Correspondingly, Concord’s rates of lower educational attainment are lower than in these comparison areas.

## **ECONOMIC CHARACTERISTICS**

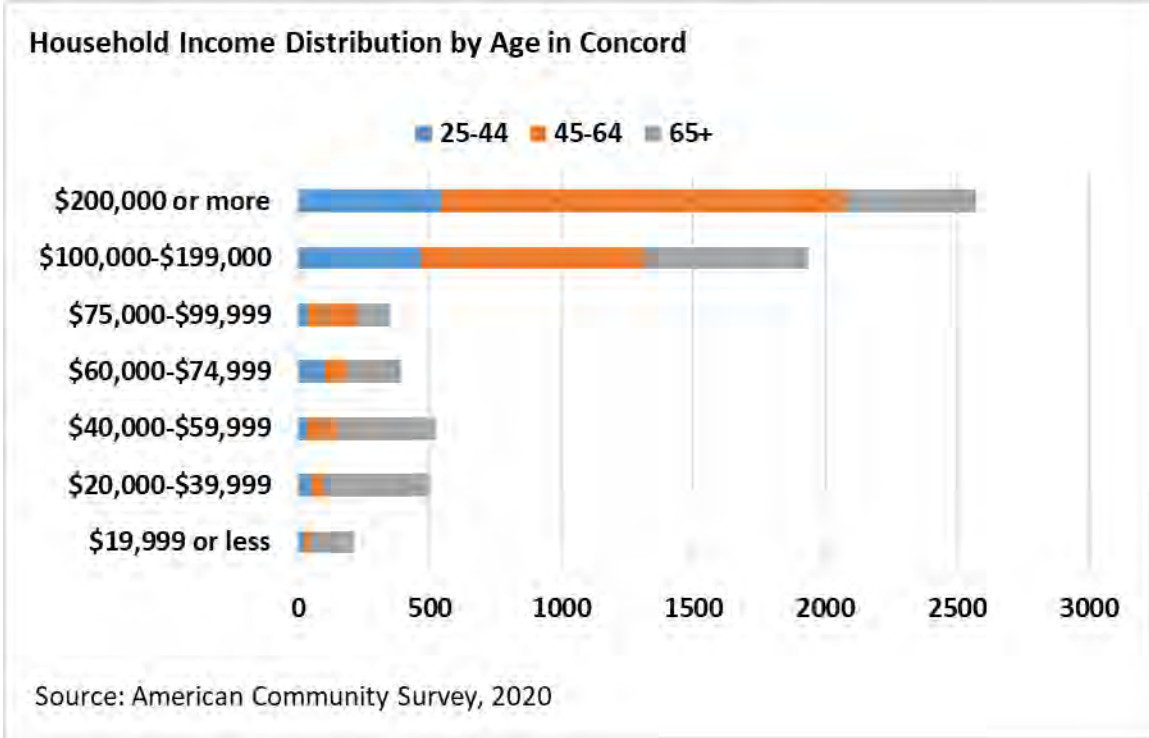
### **HOUSEHOLD INCOME**

Household income is an important determinant of how much a household can afford to pay for their dwelling unit, either to rent or own, and also whether that household is eligible for housing assistance. It is important to note that not all eligible households receive the housing assistance to which they are entitled since the supply of affordable housing does not meet the need.

Concord is home to households earning a wide range of income levels. According to the 2020 American Community Survey (ACS), median household income in Concord is estimated at \$160,392. It is higher for family households at \$201,744, but much lower for non-family households at \$65,161. In addition, 25% of all of Concord’s households (1,618) have annual incomes less than \$75,000.



Concord's income spread is quite different among older householders than those under the age of 65. For example, 81% of householders aged 25-44, and 84% of householders aged 45-64 earn \$100,000 or more per year. However, only 47% of householders over age 65 earn \$100,000 or more per year. Almost half (48%) of those over 65 earn \$74,999 or less per year. Since Concord's older population is more likely to have less income, they are more likely to have difficulty with housing costs than the younger population.



## SUMMARY

This overview of Concord’s demographics indicates that Concord’s population is aging and Concord has a comparatively high number of non-family households, likely because the increasing number of older residents are more often comprised of non-family households. At the same time, the proportion of younger households in Concord is decreasing, and the number of people in the largest age group (ages 35-54) is decreasing. Overall, Concord residents are well-educated and have high incomes. Income statistics show that older householders generally have much lower incomes than younger householders.

When considered together, these factors indicate that the need among Concord’s **current residents** is for smaller size affordable housing units targeted to Concord’s older residents. However, it is also important to consider the housing needs of people the Town would like to attract to live in Concord. It is important to understand why younger households in Concord are decreasing, and to focus on housing that meets the needs of younger families as well.

# CHAPTER 4: HOUSING CONDITIONS

The following section examines Concord's current housing supply and how it has changed over time. Understanding housing type, age, tenure, vacancy, and recent development will contribute to an understanding of current need and demand in Concord and thereby help inform future housing production planning.

## KEY FINDINGS

- 27.6% of Concord's housing stock is multi-family – this is more housing diversity than all but two comparison communities.
- Older and younger households are more likely to be renters.
- The median price of single family homes increased dramatically in the past five years.
- Smaller, lower priced homes are disappearing from Concord.
- Concord has issued virtually no permits for multi-family units in the past five years.
- Concord's median gross rent, according to Census data, and snapshot data from Trulia.com, indicate that much of Concord's rental housing costs more than the fair market rent (FMR) for nearly all unit sizes.
- 27.5% of Concord households are low income, earning less than 80% of AMI and therefore may be eligible for housing assistance through most federal and state programs.
- Concord has had a net loss in units on the SHI since 2015 (from 718 to now 715), with few units in the pipeline. It is likely that Concord will fall below the 10% in 2023 when the SHI is recalibrated with the new Census data.
- 31% of all Concord households are cost burdened, paying 30% or more of their income on housing costs; The problem is worse among renter households -- nearly half are cost-burdened.
- The clear majority (83%) of Concord's very low-income households (50% AMI or below) are housing cost burdened.
- 10.43% of Concord's housing, or 715 units, is recorded on the state's Subsidized Housing Inventory. However, half of these SHI units are actually market rate (due to counting rules for rental properties) reducing the SHI to 5.21% if removed from the inventory.
- Single-family home prices are rising faster than income in the last decade. The median income has risen 34%, and the median home price 70%.

## HOUSING SUPPLY AND TRENDS

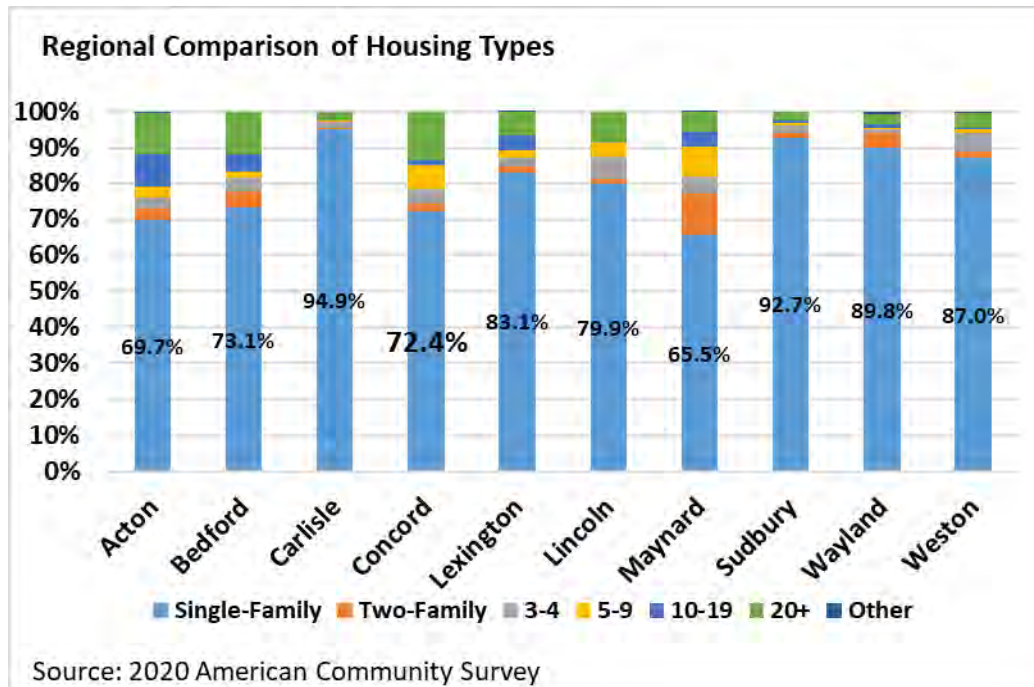
### TYPE & AGE

72.4% of Concord's housing units are in single-family homes. Multifamily housing is distributed among residential structures of two or more units. Of this housing type, buildings with more than 10 units are most prevalent, comprising just over 15% of the total housing stock. Multi-family developments in Concord with 10 or more units include Community Housing Options with 20 rental units, Emerson Annex with 10 ownership units, Warner Woods with 80 rental units, Fairhaven Gardens with 42 rental units, The Prescott (formerly Concord Mews) with 350 rental units, 76 units of state-funded elderly/disabled public housing spread between three different sites, and 14 units of state-funded family public housing at one site.

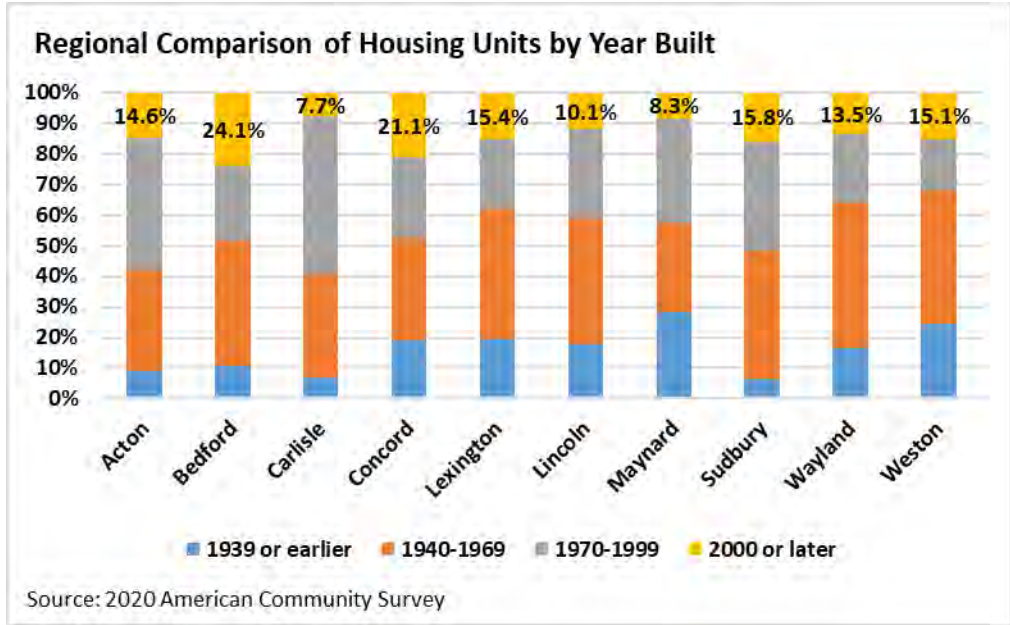
Housing Units by Type		
	# of Units	Percent
Single-Family, detached	4,639	65.7%
Single-Family, attached	476	6.7%
Two-Family	131	1.9%
3-4	299	4.2%
5-9	454	6.4%
10-19	110	1.6%
20+	957	13.5%
<b>Total</b>	<b>7,066</b>	<b>100.0%</b>

Source: 2020 American Community Survey

A regional comparison shows that all surrounding municipalities have housing stocks composed primarily of units in single-family structures. Concord has more housing diversity than all but two comparison communities, Acton and Maynard.

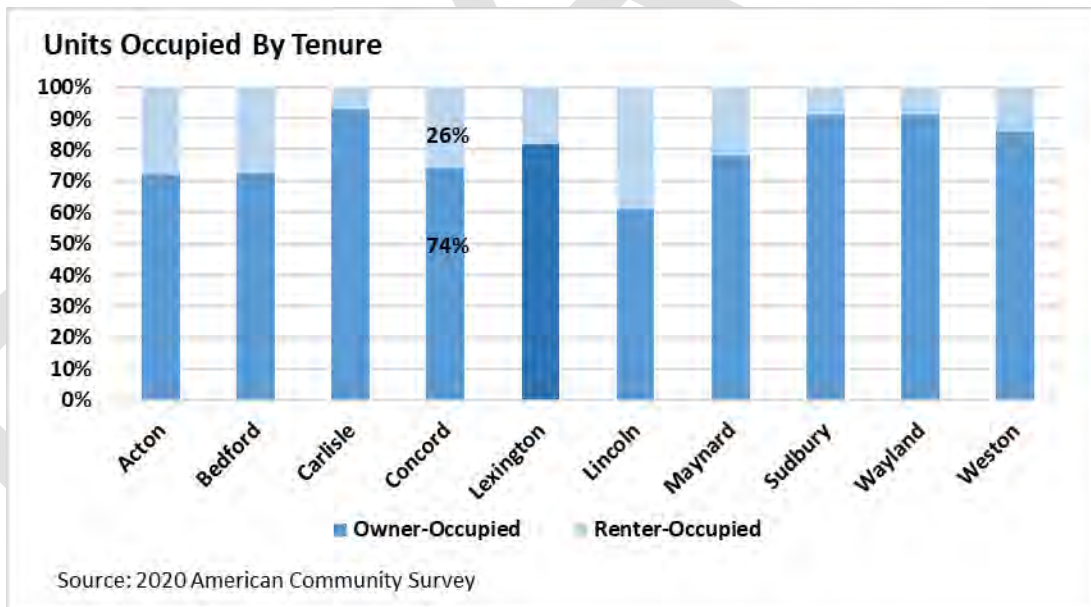


19% of Concord housing units were constructed in 1939 or earlier, the fourth highest percentage among the towns in the comparison region. This is notable because older structures may lack heating and energy efficiencies and may not be code compliant, which adds to the monthly utility and maintenance costs. Older units may also have lead paint which can be costly to remediate, but which is unsafe for children if not remediated. These additional costs have an impact on the affordability of older units for both owners and renters. An additional significant percentage, 34%, were built between 1940 and 1969. 21% of housing units were added since 2000, the second highest percentage among the towns being used for comparison.

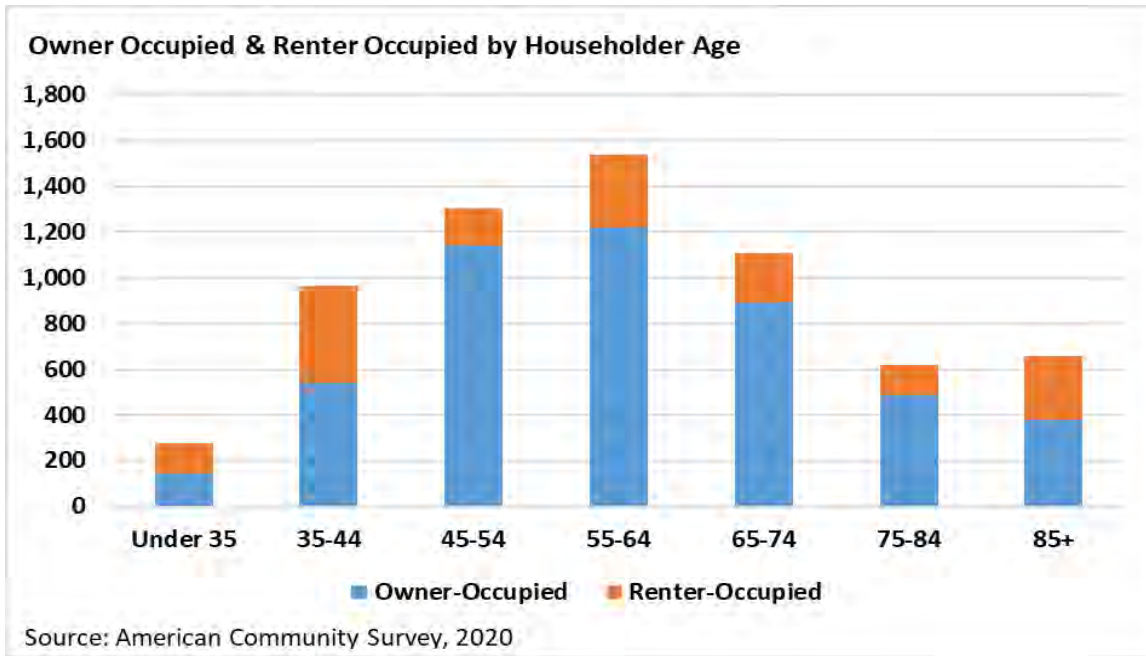


## TENURE

Of Concord's total 6,470 occupied housing units, 4,799 (74%) are owner-occupied. Compared to the region, Concord has the fourth highest percentage of renter-occupied housing.



Older and younger households are more likely to be renters. 45% of households in the 44 and under age categories are renters. At the other end of the age spectrum, 32% of households age 75 or older in Concord are renters. A much smaller proportion of households in all middle age categories are renters - the great majority of Concord households in these age groups are owners.



## VACANCY

Although the 2020 decennial census data used by DHCD to calculate SHI percentage is not available, 2020 American Community Survey (ACS) data is available to provide some information on housing units and vacancy rates. The 2020 ACS reported 7,066 total housing units in Concord, with 6,470 occupied housing units (91.6%) and 596 vacant housing units (8.4%). Vacant units represent the proportion of the inventory that is vacant and for sale or for rent. The 2020 homeowner vacancy rate was 4, and the rental vacancy rate was 6.1. These rates are higher than in recent years – the average homeownership vacancy in Concord since 2014 was about 2.5, and the rental vacancy rate in that time period was about 5.4. About 74.2% of occupied units were owner-occupied and 25.8% renter occupied.

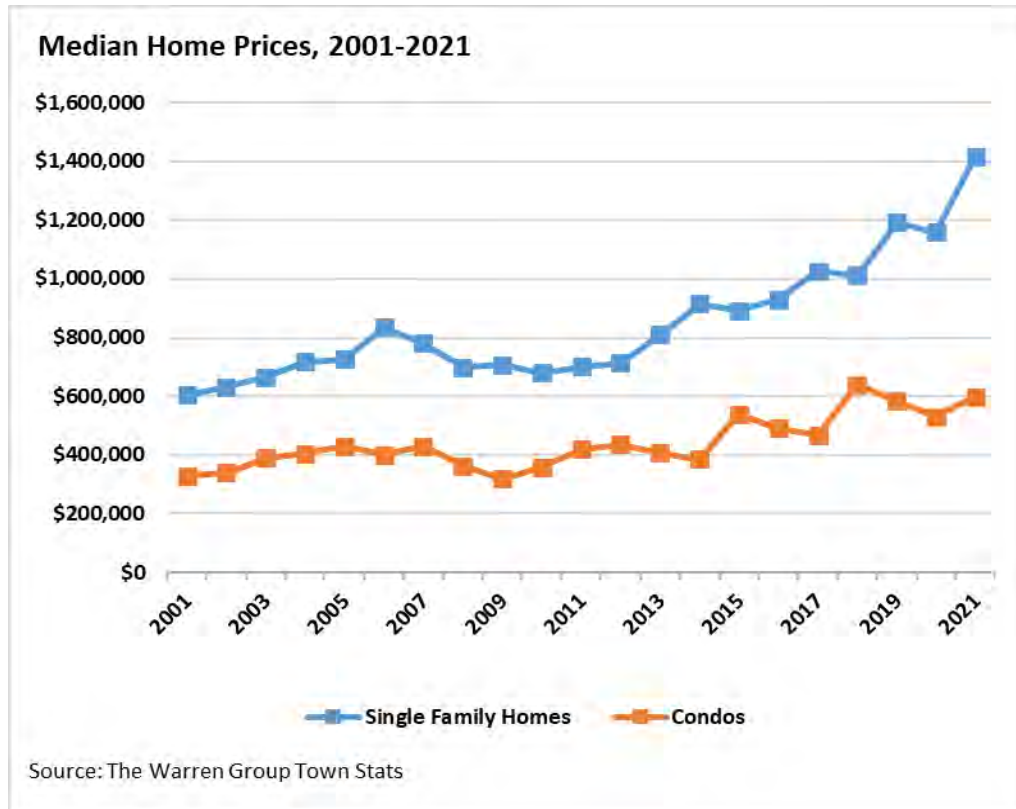
## HOUSING MARKET

Housing costs within a community reflect numerous factors, including demand and supply. If the former exceeds the latter, then prices and rents tend to rise. Depending on the income levels of the population, these factors can significantly reduce affordability for both existing residents and those seeking to move in.

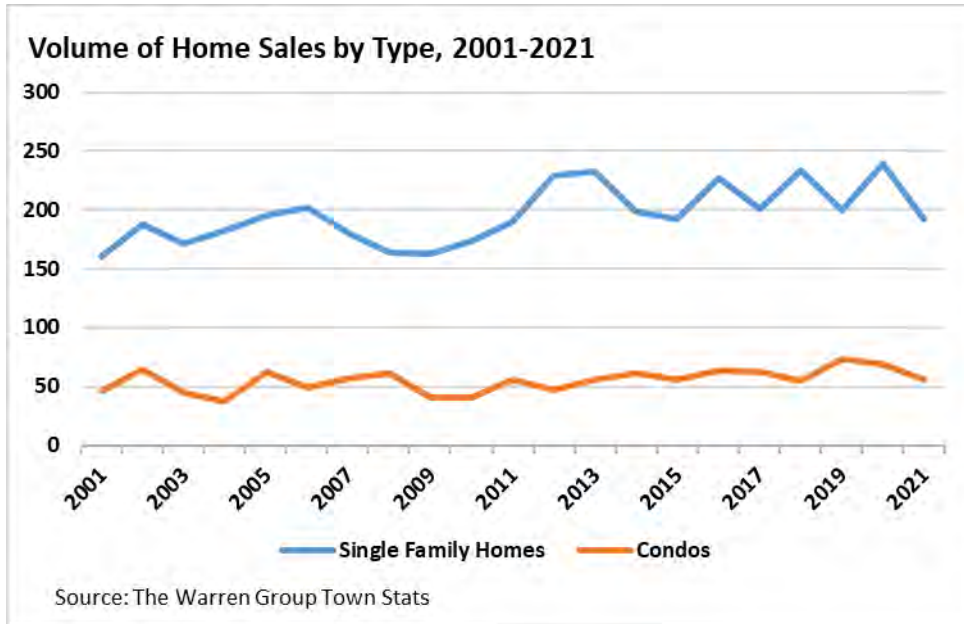
## Sale Prices & Volume

According to data from The Warren Group, after several years of mostly flat single family home prices between 2008 and 2011, home prices began rising steadily about 10 years ago, and then rose quite steeply starting a few years ago. The market reached a new height in

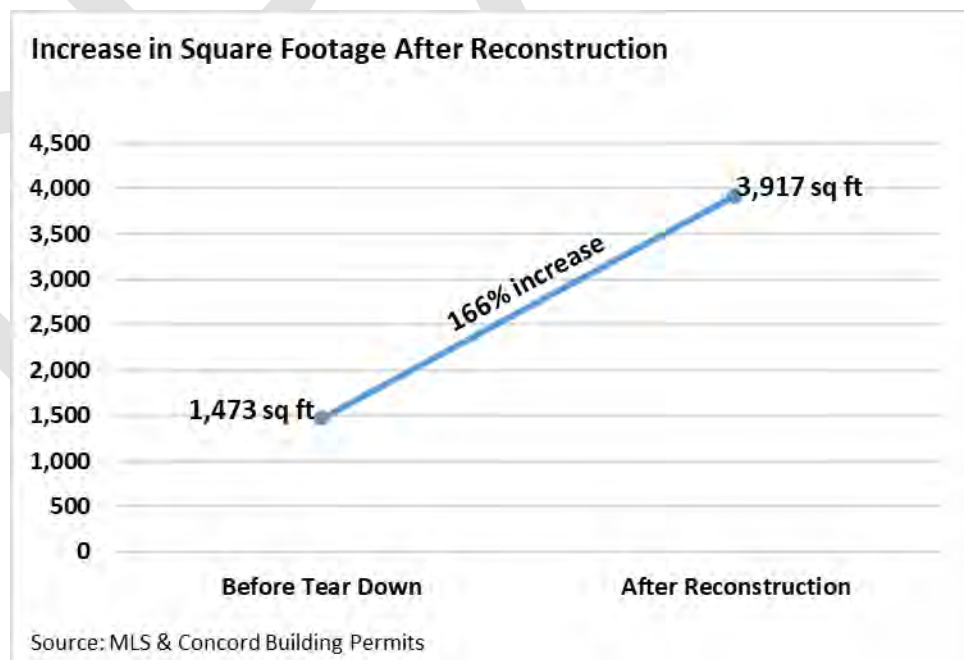
2021 when the median sale price of homes in Concord was \$1.25 million. The median price for single family homes was even higher at \$1.4 million, and the price for condominiums was lower at \$765,000.

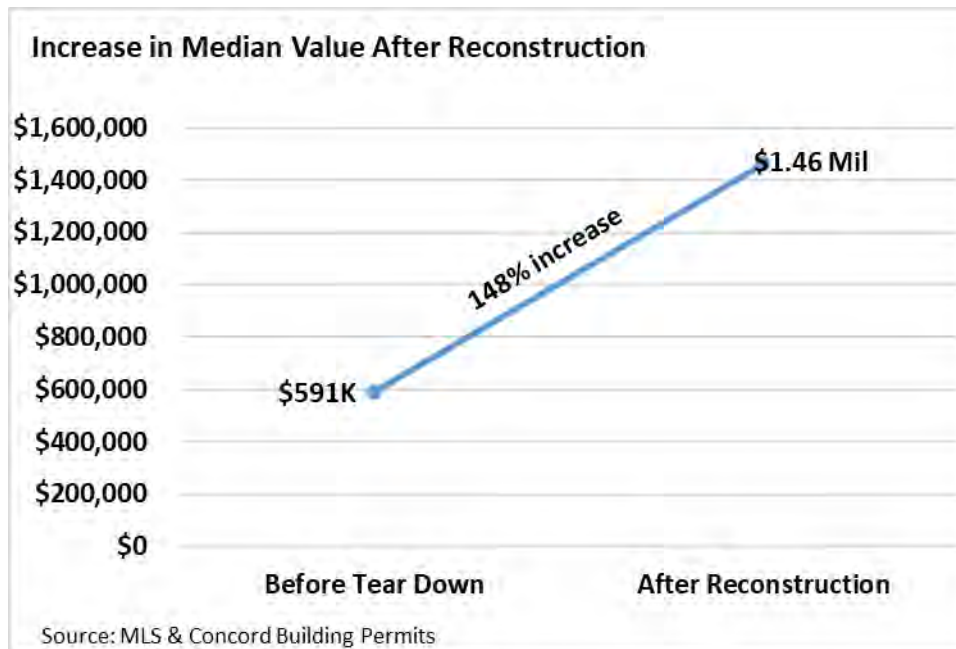


During this same time period, the volume of overall sales has fluctuated. Condo sales have been fairly steady year over year, but single family home sales have had more ups and downs. Sales volumes increased substantially for a few years, beginning in 2010, but then flattened out a bit, and has been up and down ever since.



An analysis of MLS data between 2008 and 2020 revealed that over 300 tear-down permits were issued during this period. The clear majority of homes that were torn down (where the square footage was known) were smaller homes under 1,800 square feet. In addition, almost all were assessed for under \$500,000. The homes that were built in place of the tear-downs are dramatically larger and dramatically more expensive which means that more and more modestly sized and modestly priced homes are disappearing from Concord. [Note that some homes are not sold through MLS and are direct from seller to developer, and not reported in this analysis.]

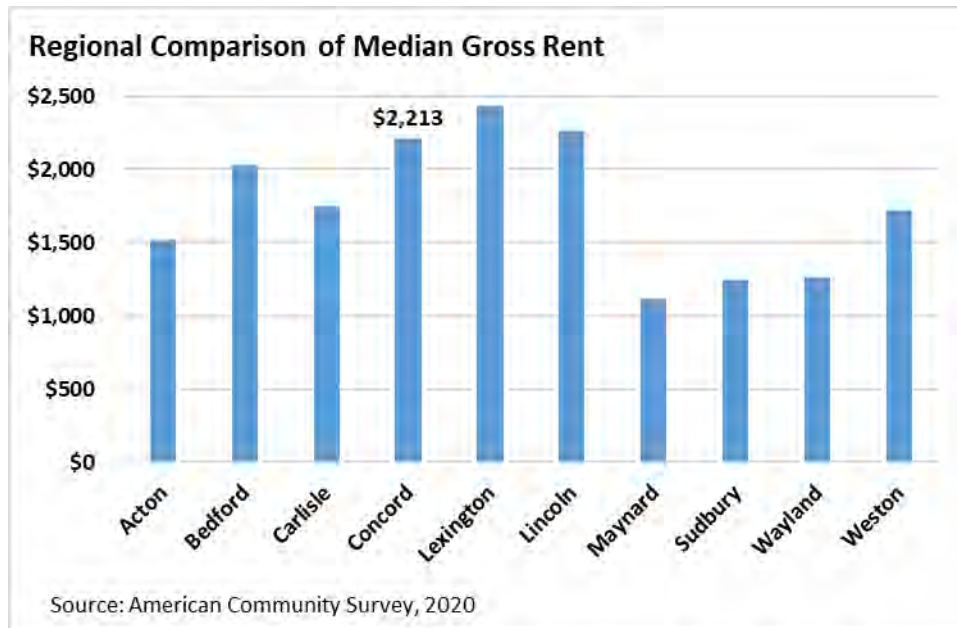




The extremely high prices of Concord’s ownership housing indicate that households with low or even moderate incomes cannot afford to purchase a home in Concord and points to a demand for more affordable homeownership options in Concord. The gap between the housing that is available for purchase in Concord and the prices that many households living in Concord, as well as households who may want to move to Concord, can afford is discussed in more detail in the Housing Affordability section later in this document.

### Rent

Median gross rent varies widely throughout the region. At \$2,213 Concord’s median rent, per the American Community Survey (ACS), is the third highest in the area. It is also significantly higher than the Middlesex County median gross rent of \$1,874.



Unfortunately, ACS rental data is not the most reliable. First, rents are self-reported and second, they represent units that were leased at any time prior to survey response, so they do not paint an accurate picture of the current market. Finally, they do not specify gross or net rents so it is unclear whether any utility costs are included in the ACS rent amounts.

An examination of Concord apartments listed for rent on Trulia.com on September 21, 2022 augments the data on the rental market. Based on these listings in Table 9 below, we can see that rental housing (like homeownership housing) available in Concord, is more expensive than the ACS figure. In addition, these listings show that rental units currently available are extremely limited – only 15 total listings spread across all bedroom sizes. Furthermore, like the ACS, Trulia rent amounts also do not specify what, if any, utility costs are included. The total gross rent (including utilities) for all of these listings would presumably be \$200-\$300 higher. The Housing Affordability section of this document will describe whether the available rental housing can meet the needs of Concord’s population.

**Concord Apartments listed for rent on Trulia.com, 9/21/22**

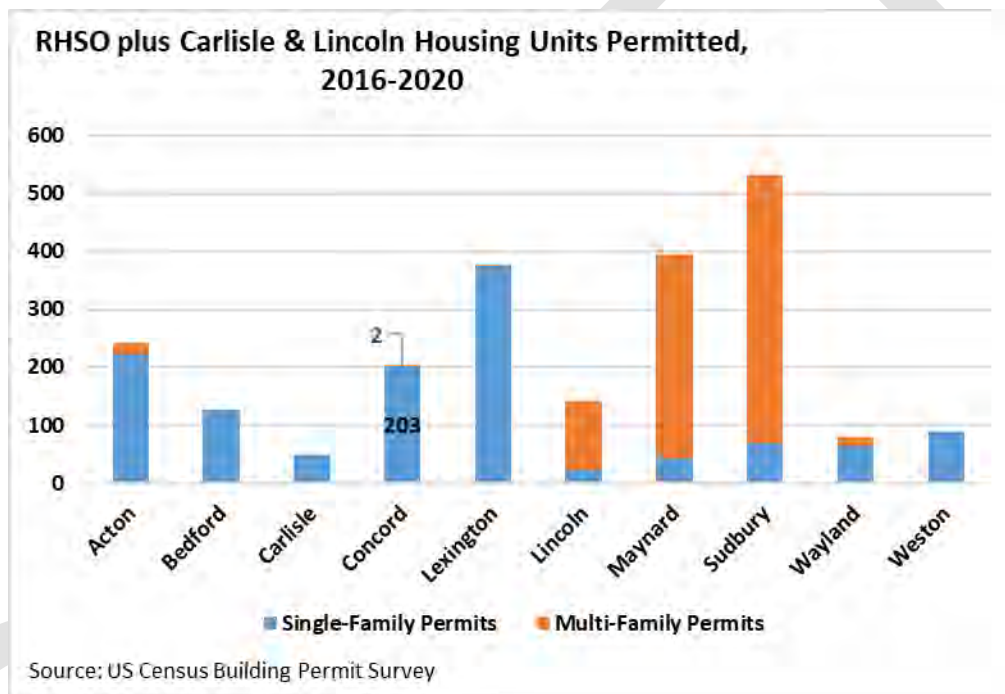
Average price of a Studio unit based on 1 listings	\$1,200
Average price of a 1-bedroom unit based on 4 listings	\$2,240
Average price of a 2-bedroom unit based on 6 listings	\$3,016
Average price of a 3+ bedroom unit based on 5 listings	\$4,696

Source: Trulia.com, September 21, 2022

## RECENT AND FUTURE DEVELOPMENT

### HOUSING UNITS PERMITTED

Housing permits issued during the last five years is one of the State’s criteria for allocating Housing Choice grant funds, so it is important to look at Concord’s progress in permitting units during this time. During the last five years for which building permit data is available, between 2016 and 2020, Concord issued permits for 205 housing units. Of those, 203 were for single-family homes, while 2 were for units in multifamily buildings. Concord’s total housing production during this period is about average among comparison communities. However, permits for new multi-family housing have been basically absent which is a concern regarding favorability for Housing Choice grant funds.



## SUBSIDIZED HOUSING INVENTORY STATUS AND PIPELINE

The below developments are the current pipeline for known and potential efforts.

Time Frame	# Units	Detail
FY23	No new units	
FY24	1 unit – Millrun 1 unit – Gerow	Likely Likely
3 – 5 years	5 units – Assabet River Bluff	In Planning, some might come earlier
5 – 10 years	5 units Bedford St (CHA) 1 unit Main St (CHA) 2 units Walden Street (CHA) 1 unit Peter Spring Road (CHA) Junction Village	Requires sewer Requires sewer Requires sewer Further analysis required
Upon Vacancy	2 CHA properties	Could be added to SHI upon vacancy
Longer Term	2229 Main Street/Starmet site Peabody Middle School	Large municipal efforts requiring advocacy

Future: And looking forward, there are some properties with expiring restrictions which will be removed from the SHI if not extended or preserved: Community Housing Options (20 rental units expiring in 2037) and Fairhaven Gardens (42 rental units expiring in 2043), and Emerson Annex (4 ownership units expiring between 2028 and 2035). Analysis and discussions with owners could start prior to expiration to explore options – an expanded discussion of this issue is included in the Goals and Strategies section of this document.

## HOUSING AFFORDABILITY

In the previous sections, Concord’s population and housing stock were examined. The intersection of these previously examined areas—demand (people) and supply (housing units)—as well as policy, planning, and funding, ultimately determines housing affordability in a given community. In this section, the affordability of Concord’s housing stock to Town residents and potential Town residents is assessed.

### POVERTY RATE

According to the 2020 American Community Survey (ACS), 2.7% of Concord’s population is below the poverty level (annual income below \$15,930 for a household of two), a decrease from 5.6% in 2015, and lower than Middlesex County (7.7%) and Massachusetts (10.4%). Concord’s rate of families with incomes below the poverty level (annual income below \$27,750 for a family of four) is 1.4%, again significantly lower than Middlesex County’s rate of 4.5% and the Commonwealth’s rate of 6.6%. Finally, the child poverty rate in Concord is 3%, once again lower than the Middlesex County child poverty rate of 7.6% and Massachusetts child poverty rate of 12.2%.

### HOUSEHOLDS ELIGIBLE FOR HOUSING ASSISTANCE

One measure of affordable housing need is the number of households that may be eligible for housing assistance based on estimated household income. Federal and state programs use Area Median Income (AMI), along with household size, to identify these households. Table 9 below shows U.S. Department of Housing and Urban Development (HUD) income limits for extremely-low (below 30% of AMI), very-low (30-50% of AMI), low-income (50-80% of AMI), and moderate (100% AMI) households by household size for the Boston-Cambridge-Quincy Metropolitan Statistical Area (MSA), which includes Concord. Typically, households at 80% of AMI and below may qualify for housing assistance, though there are some exceptions based on household size and assets.

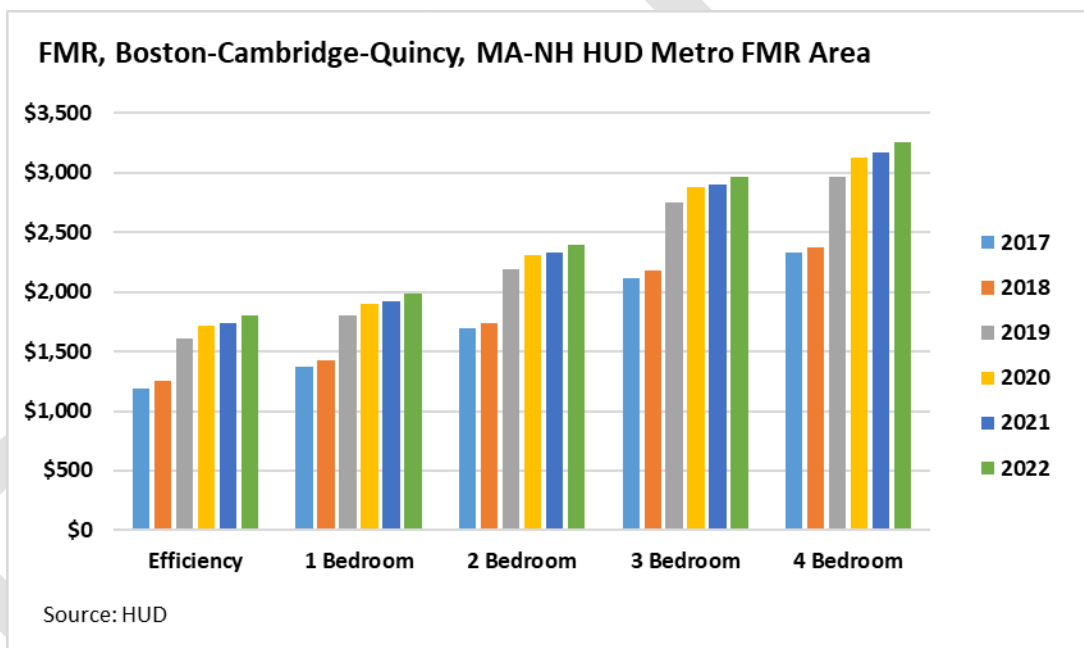
<b>2022 Affordable Housing Income Limits Boston-Cambridge-Quincy, MA-NH HUD Metro FMR Area</b>				
	<b>Extremely Low Income (30% AMI)</b>	<b>Very Low Income (50% AMI)</b>	<b>Low Income (80% AMI)</b>	<b>Moderate (100% AMI)</b>
<b>Household Size</b>				
1 Person	\$29,450	\$49,100	\$78,300	\$98,140
2 Person	\$33,650	\$56,100	\$89,500	\$112,160
3 Person	\$37,850	\$63,100	\$100,700	\$126,180
4 Person	\$42,050	\$70,100	\$111,850	\$140,200
5 Person	\$45,450	\$75,750	\$120,800	\$151,416
6 Person	\$48,800	\$81,350	\$129,750	\$162,632
7 Person	\$52,150	\$86,950	\$138,700	\$173,848
8 Person	\$55,550	\$92,550	\$147,650	\$185,064

Source: HUD

HUD’s Comprehensive Affordability Strategy (CHAS) data reports that 7.9%, 7.1%, and 12.5% of households in Concord are extremely low income, very low income, and low income respectively. This means that a total of 27.5% of all households, or approximately 1,825 households may qualify for affordable housing programs based on income, but are unlikely to actually access them due to scarcity.

### FAIR MARKET RENTS

Another measure of housing affordability is whether local rent exceeds HUD-determined Fair Market Rents (FMR) which were established as guidelines for Section 8 voucher holders. HUD does not permit vouchers holders to rent apartment units above the FMR because HUD has determined the FMR to be a fair and reasonable price for the geographic area. In figure 17 below, the upward trend, particularly over the last few years, reflects the annual adjustment factor intended to account for rental housing market demands. Given the constraints on the Greater Boston rental housing market, rising FMR’s are unsurprising and point to the need for more rental housing at multiple price points.



Concord’s median gross rent of \$2,213 according to ACS data is higher than the FMRs for two-bedroom and larger units. Furthermore, the average prices of Concord rentals listed recently on Trulia.com (see Table 8) for 1-bedroom and larger units are significantly higher than the FMRs. Furthermore, as stated earlier, both the ACS median and the Trulia prices do not account for utility costs, so gross rents would be even higher. Therefore, it is clear that much of Concord’s rental housing stock exceeds what HUD has determined to be a fair price in the MetroBoston rental market.

Although HUD determines a certain level of rent in an area to be fair, FMR's do not take into account household income, so even an apartment at the FMR is not necessarily affordable to people at all levels of income. As stated in the previous section, a significant number (one-fourth or 1,825) of Concord households have incomes at or below 80% of AMI. As this document will discuss below, income is a major determinant of housing affordability. It is important to consider whether Concord's housing stock meets the needs of its current households and households hoping to move to Concord at all income levels.

### **CURRENT M.G.L. CHAPTER 40B SUBSIDIZED HOUSING INVENTORY**

Under M.G.L. Chapter 40B, affordable housing units are defined as housing that is developed or operated by a public or private entity and reserved by deed restriction for income-eligible households earning at or below 80% of the AMI. In addition, all marketing and placement efforts follow Affirmative Fair Housing Marketing guidelines per the Massachusetts Department of Housing and Community Development (DHCD). These requirements are regulated at 760 CMR 56 and administered by the Department of Housing and Community Development (DHCD).

Housing that meets these requirements, if approved by DHCD, is added to the subsidized housing inventory (SHI). Chapter 40B allows developers of low- and moderate-income housing to obtain a comprehensive permit to override local zoning and other restrictions if less than 10% of a community's housing is included on the SHI.

Communities above the 10% requirement have greater local control over affordable housing developments by requiring local zoning. When a community is above the 10% requirement, the decisions on comprehensive permit applications by the Zoning Board of Appeals (ZBA) to deny or approve with conditions will be deemed "consistent with local needs" under MGL Chapter 40B. In practical terms, since the town can deny a 40B permit (and be upheld at the HAC), developers only submit 40B applications that have the full support of the town (such as a Local Initiative Project or a 'friendly' 40B).

A municipality's SHI fluctuates with new development of both affordable and market-rate housing. The percentage is determined by dividing the number of affordable units by the total number of year-round housing units according to the most recent decennial Census. As the denominator increases, or if affordable units are lost, more affordable units must be produced to reach, maintain, or exceed the 10% threshold.

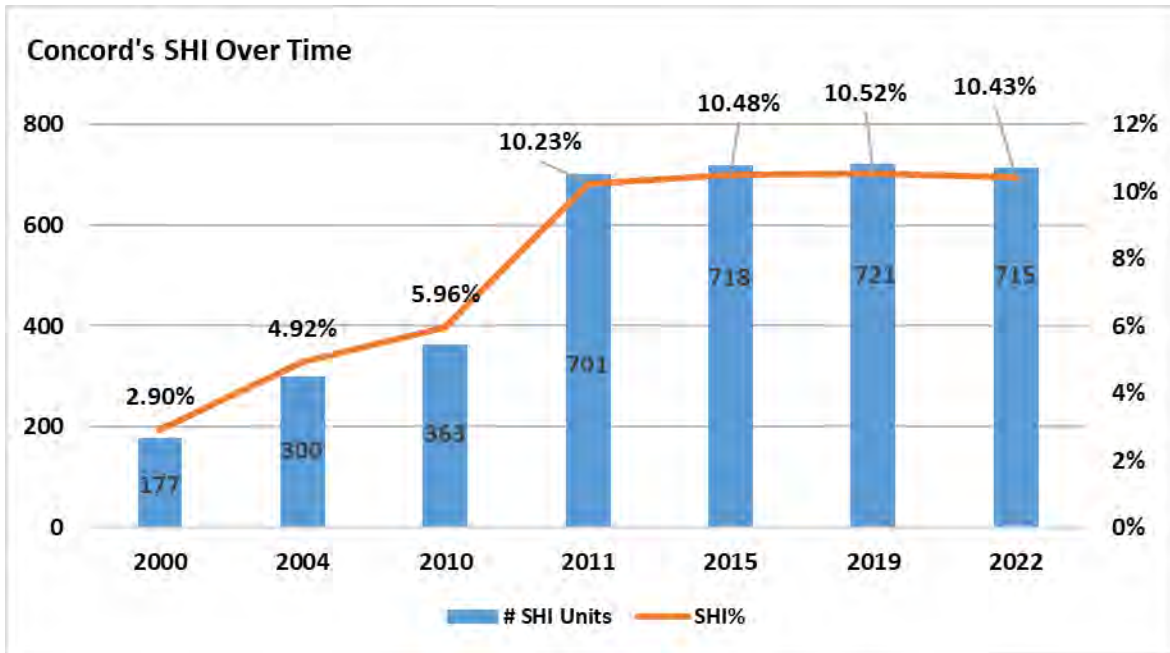
Concord reached the 10% threshold in 2011. A look at the history of Concord's SHI shows that there was a big jump in the number of units on the SHI in the early 2000's, with the

construction of Warner Woods and Fairhaven Gardens, and another big jump between 2010 and 2011 with the construction of The Prescott (formerly Concord Mews). However, following 2011, there were only small increases in the percentage of Concord's housing units on the SHI.

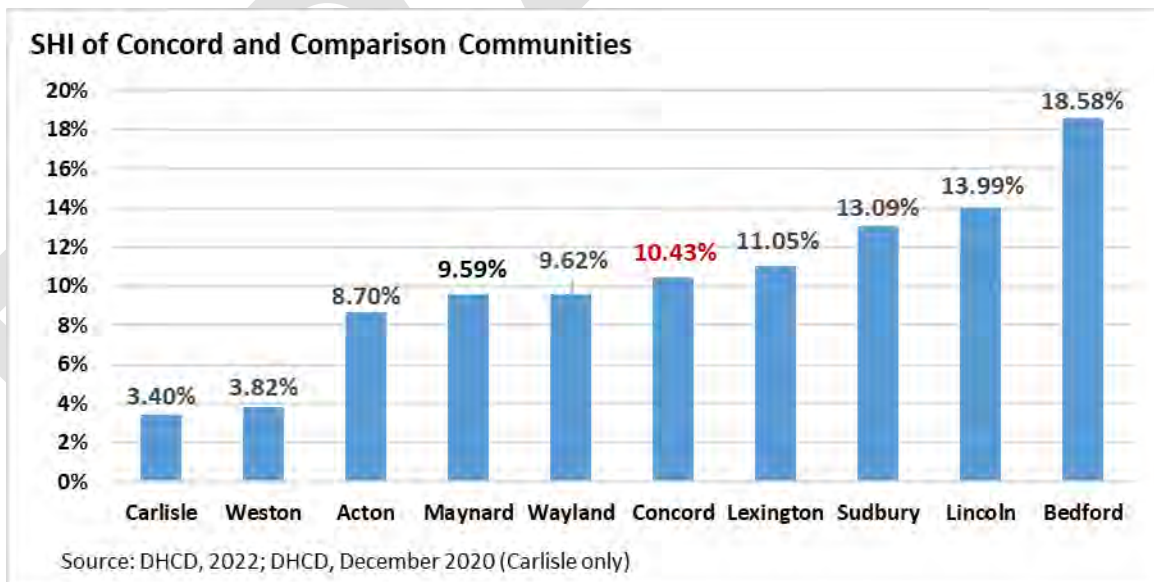
The SHI has remained at the approximate current level since 2013, when the SHI was 10.32% (707 units), after the counting of units at The Prescott and is now lower than it was in 2015. In the last 10 years, while 19 units were created in 6 developments, 11 units were lost in the DCF units (confidential beds in group homes – 9 just this year), for a net of 8 units added.

Currently, of the 6,852 year-round housing units in the town (from the 2010 Census), there are 715, or 10.43% that are counted as 'affordable' on the State's Subsidized Housing Inventory, which is 29 units over the 10% threshold (715 affordable units in the numerator and 6,852 year-round housing units in the denominator). There are 358 market rate units on the SHI, which is exactly half of the units on the SHI, reducing the SHI to 5.21% if taken out of consideration.

The Census Bureau has been delayed in reporting year-round housing units from 2020 decennial census. When those numbers are released in 2023, the denominator for Concord's SHI calculation is expected to increase significantly. This means that the percentage of Concord's housing units on the SHI will once again drop below 10%. The shortfall could be as low as 8, though the trend of losing Mass. Department of Developmental Services (DSS) units puts pressure on creating new units.



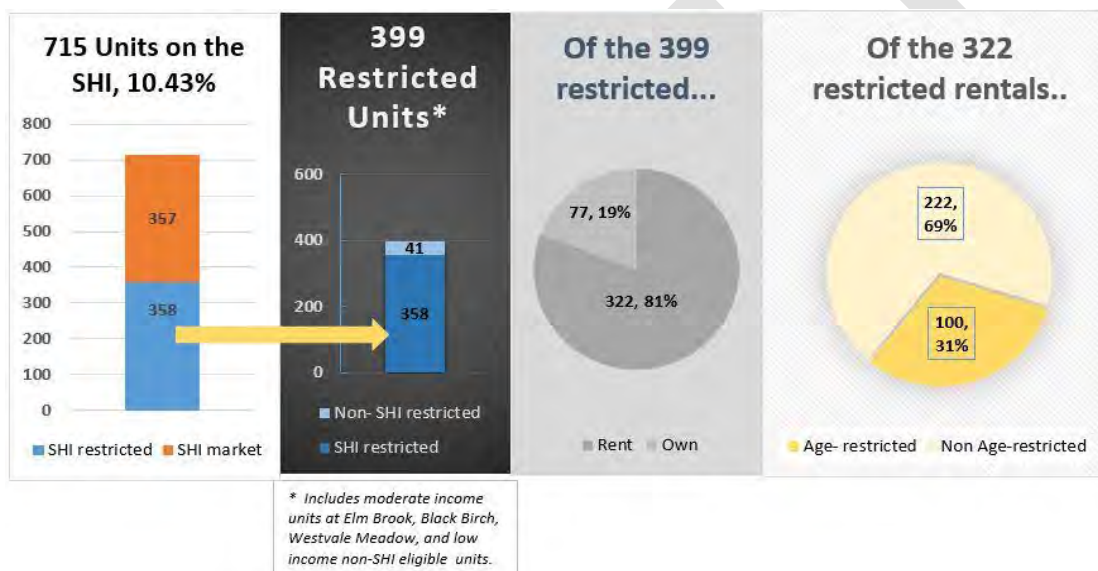
Concord's SHI percentage is right in the middle of the comparison communities, with five communities having higher percentages of units on the SHI, and four communities having lower percentages.



Due to state eligibility policies under M.G.L. 40B, the actual number of affordable units in Concord or any community is much lower than the inventory indicates. Per state policy, 100% of affordable ownership units are included on the SHI, but all rental units (regardless of

the cost of rent) in a development are counted as long as a minimum of 20% of units are affordable at 50% AMI or below, or 25% of units are affordable at 80% AMI or below.

As the chart below demonstrates, only half of the units on the SHI (357 units) are restricted per state requirements. Another 41 units in Concord are restricted, but they are affordable to households with higher, moderate incomes or have other factors that make them ineligible for the SHI. The remaining SHI units are market rate units that are not affordable to low-income households. The vast majority (322) of restricted units are rental units, and 76 units are affordable homeownership units. Of the 322 restricted rental units, 69% are for families, and the other 31% are restricted to households aged 62+.

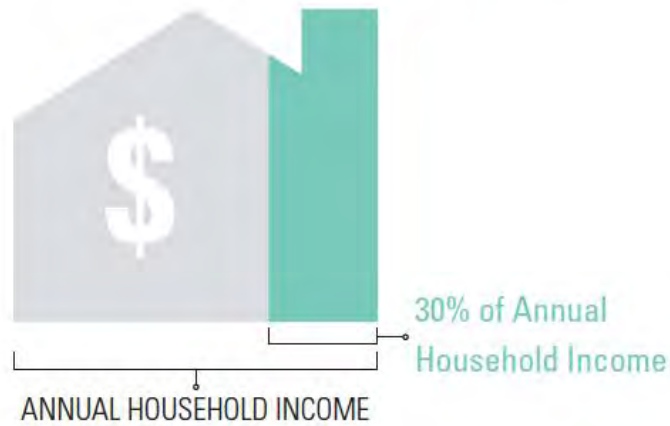


The total 399 restricted units is not nearly enough for the 1,825 households who are at 80% AMI or below. These numbers exhibit that there must be a significant number of low-income households who are paying more for their housing than they can actually afford. These households are considered cost burdened.

### HOUSING COST BURDEN

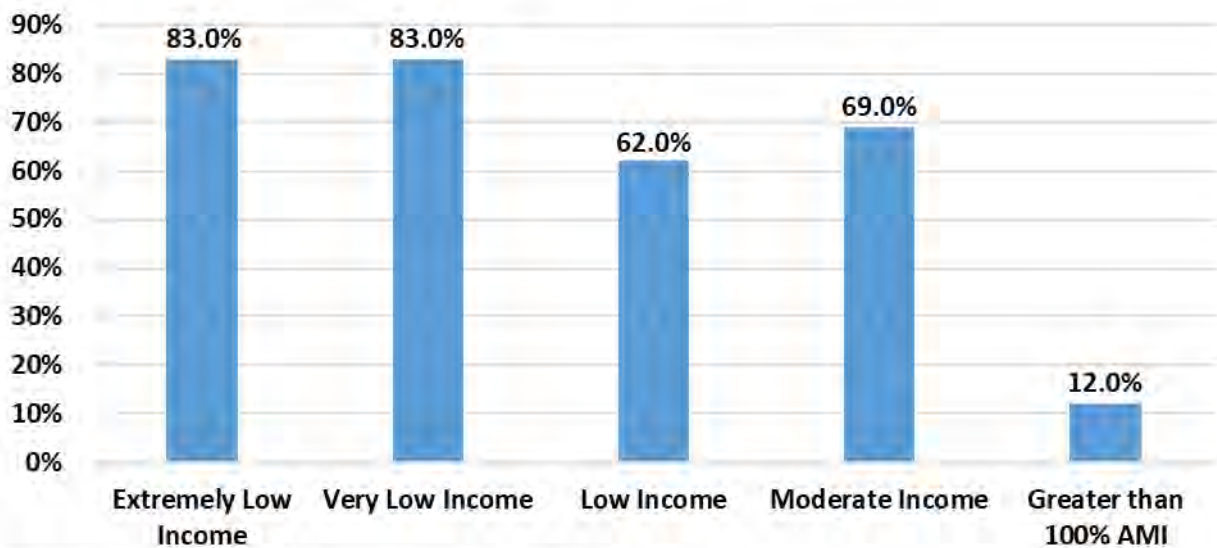
Another method to determine whether housing is affordable to a community’s population is to evaluate households’ ability to pay their housing costs based on their gross household income. Households who spend more than 30% of their gross income on housing are considered housing cost burdened, and those who spend more than 50% are considered severely cost burdened.

## The 30 Percent Rule for Housing Affordability



HUD's recently updated Comprehensive Housing Affordability Strategy (CHAS) data reports that a total of 31.5% or approximately 2,090 households in Concord are cost burdened, and 14.3% or 950 households, are severely cost-burdened. Notably, the rate of cost burden is significantly higher among renters than owners: 50% versus 26%. Cost burden also occurs at a much higher rate among lower income households than higher income households. The vast majority (83%) of very low-income households equal or below 50% of AMI are cost-burdened.

### Percentage of Cost-Burdened Households in Income Category



Source: 2015-2019 HUD Comprehensive Housing Affordability Strategy

## AFFORDABILITY GAP

The large percentage of low-income households in Concord who are cost-burdened indicates that there is a gap between the number of households at or below 80% of AMI and the number of housing units affordable to households at this income level.

### Ownership

A four-person household earning at or below 80% AMI (\$111,850) could afford to purchase a home that costs less than \$324,000, using the DHCD affordability calculator and assuming a 5% down payment and an interest rate of 5.5% (optimistic considering current interest rates). Multiple Listing Service (MLS) data shows that only two condos and no single-family homes were sold in Concord for \$325,000 or less during the past five years, 2017 through 2021.<sup>24</sup> Zillow.com shows that there are currently no properties on the market in Concord for less than \$600,000 – well above what a low-income family can afford. Furthermore, the DHCD affordability calculator shows that Concord's 2020 median sale price of \$1,159,000 for single family homes requires an annual income of about \$283,000<sup>25</sup>, over \$122,000 higher than Concord's median household income of \$160,392. Although census data for median income is not yet available for 2021, it is notable that median sales prices continued to rise in Concord – the median price for single family homes was up to \$1,416,000 in 2021, and the median price for all homes, including condos, was up to \$1,250,000. The median price for all homes in Concord jumped by \$350,000 since 2018, and the median sales price for single family homes jumped by over \$400,000 since 2018.<sup>26</sup> This all illustrates that home prices in Concord are rising much faster than income.

The Concord median income is \$160,392. A household at this income level could afford a house that costs approximately \$657K which is affordable to a household earning somewhere between 110% and 115% AMI.

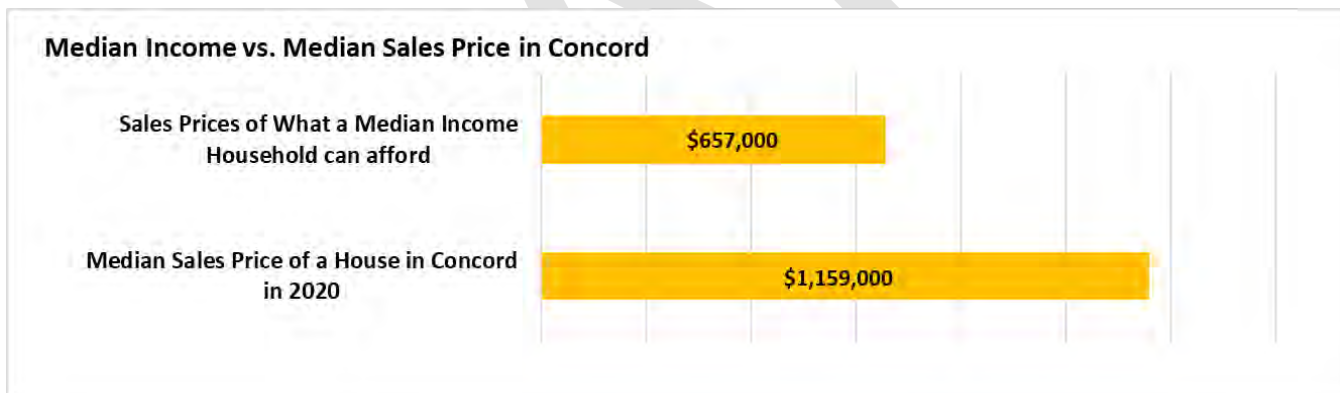
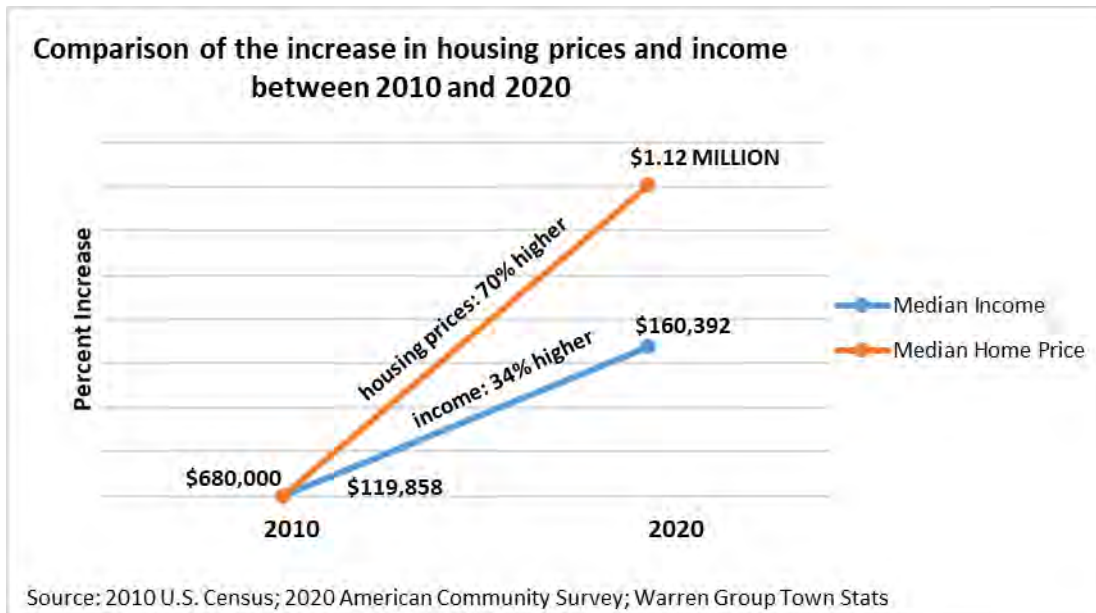
A household of 4 at 150% AMI earns \$210,300. A household at this income level could afford a house that costs approximately \$860K. So, if you're pricing a house to be affordable to 150% AMI, a median income household in Concord could not afford it. You would need to price a home at 110% to 115% AMI to be affordable to a median income household.

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<sup>24</sup> MLS report provided by realtor Mike Hunter, William Raveis Real Estate

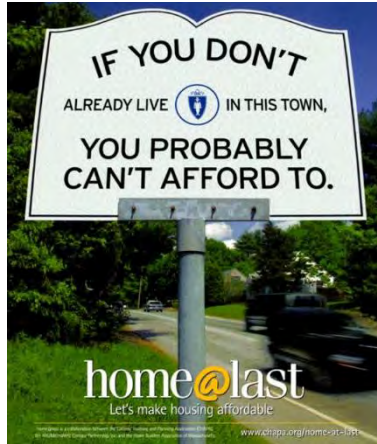
<sup>25</sup> Author's calculations assumes a 20% down payment and 5.5% interest rate

<sup>26</sup> Median sales prices from The Warren Group



Current Concord households are not the only ones who are not able to afford to purchase a home in Concord. According to 2020 ACS data, the median household income in Middlesex County was \$106,202, so a median income household in the area who is looking to move to Concord would also not be able to do so. Materials from a public education campaign by the Citizens Housing and Planning Association (CHAPA)<sup>27</sup> clarifies the situation in many communities in Massachusetts, including Concord:

<sup>27</sup> Citizens' Housing and Planning Association (CHAPA)'s mission is to encourage the production and preservation of housing that is affordable to low and moderate-income families and individuals and to foster diverse and sustainable communities through planning and community development – [www.chapa.org](http://www.chapa.org)



## Rental

For rentals, a 4-person household earning 80% of AMI (\$111,850) could afford \$2,796 per month in rent if all of the utility costs for the apartment were included, or approximately \$2,200 per month in rent if utilities were not included.<sup>28</sup> Trulia rental listings (see Table 8 earlier in this document) demonstrate that the average two-bedroom rental in Concord costs over \$3,000 and the average cost of a 3+ bedroom rental in Concord is nearly \$4,700. There is a gap of several hundred dollars between what a low-income household can afford for rent and the actual average monthly cost to rent an apartment in Concord. In addition, the limited number of 16 total rental listings in the recent Trulia search indicates there is an overall scarcity of rental housing in Concord which makes finding a rental unit even more difficult. The gap between the actual cost of housing units in Concord that are available to buy or rent and the housing cost that would be affordable to low-income families is substantial. This affordability gap indicates a clear need for more rental and homeownership units that would be affordable for households earning 80% or less of AMI.

## SUMMARY

This overview of Concord's housing conditions indicates that Concord's current housing supply consists primarily of single family homes, but with more rental housing than most comparison communities. The demand for housing in Concord is consistently strong, both in the homeownership and rental markets, so the vacancy rate is low.

Production of housing has slowed in Concord in recent years, particularly production of multi-family rental housing and smaller ownership homes. Building permit data shows only two multi-family permits were issued in Concord in the most recent five years for which data is

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<sup>28</sup> Author's calculations assume rent is affordable when no more than 30% of gross income is spent on rental costs. The Concord Housing Authority Utility Allowance chart was used to calculate the affordable rent with no utilities included.

available. Tear down permit data since 2008 shows that more modestly sized and modestly priced homes are disappearing from Concord.

The low vacancy rate combined with the low housing production in recent years has led to the current state of very high prices, both for rental and ownership housing. Older Town residents with fixed incomes are now in a situation where they cannot afford to move from their current homes. Families interested in moving to Concord hoping to purchase a home are not able to do so unless they earn over 200% of the area median income in the region (\$283,000 annually).

Together these factors point to the same housing needs as the previous demographic chapter – smaller size affordable housing units for Concord’s current residents, and more affordable housing options, particularly homeownership options, for families who would like to move to Concord.

Concord may also consider the implications for diversity, equity, and inclusion (DEI) as it plans for future affordable housing development. The exclusionary effects of a history of discriminatory zoning, redlining, and other housing policies can be seen in Concord and many other communities throughout Massachusetts. When looking at the historical racial composition of Concord, the exclusion is clear. Racial minorities were not only historically excluded from housing opportunities, but also from educational and economic opportunities. The combination of these factors created a vicious cycle where certain minority groups are now economically disadvantaged and not able to break into elite communities like Concord due to the continuing high cost of housing. Supporting new affordable housing in Town is a step towards inclusion and ensuring that all demographic groups have the opportunity to live in the wonderful community of Concord.

# CHAPTER 5: DEVELOPMENT CONSTRAINTS

Concord is a desirable residential community because of its natural beauty, good schools, rich history and traditions, proximity to Boston, and access to highways and public transportation. Developable land is scarce due to extensive floodplains and wetlands, active farming uses, and protected open spaces, which has caused the price of land to rise. High land prices contribute to ever-increasing housing costs, while high expectations around municipal services and schools drive real estate tax increases. These combine to make the town unaffordable for many who currently reside in Concord and those who would like to move into the community. Zoning is a significant constraint in diversifying Concord's housing efforts because over 90% of the town is zoned for residential use, and the development pattern has been primarily single-family housing.

Many factors influence the feasibility of housing production, from physical limitations to regulations that shape development and land use. This chapter reviews environmental constraints, infrastructure constraints, and regulatory barriers and considerations. Note this analysis relied heavily on the Town of Concord Open Space & Recreation Plan (2015) and the Envision Concord: Bridge to 2030 Comprehensive Long Range Plan (2018). Citations are included for other sources.

## KEY FINDINGS

### ENVIRONMENTAL CONSTRAINTS

- According to the 2015 Open Space & Recreation Plan (OSRP), 59% of Concord's total land area is considered open space, with 38% of all land in town listed as permanently protected open space.
- Approximately 50% of the town is under the Natural Resources Commission (NRC) jurisdiction per the Wetland Protections Act (WPA) and Wetlands Bylaw.
- Global climate change will only increase the frequency and severity of flooding events in Concord, as the warming atmosphere can hold and deposit more significant amounts of moisture in more severe bursts.

### INFRASTRUCTURE CAPACITY

- Almost all Concord residents have access to town water, and about 35% of the town residents have access to town sewer.
- Due to capacity limitations, wastewater treatment is a barrier to development throughout the Town.

- Enrollment in Concord’s public schools has grown slightly by 4% in the past five years (2018-2022)<sup>29</sup>.
- Concord is served by the MBTA Commuter Rail (Fitchburg line), with service to Boston from two stations.
- Concord is a destination for cyclists and other visitors arriving by car or train, who are attracted to its beauty, terrain, cultural sites, shopping, dining, and recreational resources.

## REGULATORY BARRIERS AND CONSIDERATIONS

- In 2020, zoning was changed to expand the potential for development of attached and detached accessory dwelling units. Accessory Apartments (or Additional Dwelling Units (ADUs)) are allowed by right in all Residential Districts when certain criteria are met, and by special permit when relief from certain criteria is needed.
- In 2021, the bylaw was further amended to allow a two-family dwelling by Special Permit in the Residence C Zoning District and allow the Zoning Board of Appeals to reduce the requirement for two parking spaces for each dwelling unit.
- Concord’s zoning bylaw provides some flexibility for Planned Residential Development (PRD). Planned residential developments allow for single-family detached, attached dwellings, or multi-unit structures of all types in accordance with Section 10 of the zoning bylaws in all Residential and Business Zones.
- The Commercial and Limited Business Districts allow combined business/residence uses by right. This use enables multi-family housing when combined in the same building with commercial services. It also requires that at least 20% of the dwelling units be affordable.
- However, the only residential uses allowed by right in residential districts are single-family dwellings.
- Therefore, zoning is a significant constraint in diversifying Concord’s housing efforts because over 90% of the town is zoned for residential use, and the development pattern has been primarily single-family housing.

## ENVIRONMENTAL CONSTRAINTS<sup>30</sup>

### LANDSCAPE CHARACTER

Located at the Sudbury, Assabet, and Concord Rivers confluence, Concord has a rolling terrain with an abundance of natural resources, which have inspired the likes of Henry David Thoreau, Ralph Waldo Emerson, Margaret Fuller, Louisa May Alcott, and other

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<sup>29</sup> Massachusetts Department of Elementary and Secondary Education, "School and District Profiles – Concord" <https://profiles.doe.mass.edu/analysis/enrollment.aspx?orgcode=06400000&orgtypecode=5&>

<sup>30</sup> This section relied heavily on the Envision Concord: Bridge to 2030 Plan (2018) and the Open Space and Recreation Plan (2015)

transcendentalist authors. Residents have committed significant resources towards conserving lands that are considered ecologically or culturally important. While Concord's abundant natural resources and historic asset protection is something to celebrate, extensive wetlands and vigorous efforts to preserve the rural, historic character of the town also limit development.

***According to the 2015 Open Space & Recreation Plan (OSRP), 59% of Concord's total land area is considered open space, with 38% of all land in town listed as permanently protected open space.***

Concord has a varied mix of land uses, with a high proportion of land devoted to agriculture, open space, and recreation. According to the 2015 Open Space & Recreation Plan (OSRP), 59% of Concord's total land area is considered open space, with 38% of all land in town listed as permanently protected open space. From the Town's GIS and tax assessment data, the most extensive single use within Concord is forest and recreational lands (approximately 38%), closely followed by single-family housing (just over 36%). Commercial and industrial land uses comprise 2.4% of the Town's land. Commercial activity centers include Concord Center, Thoreau Street Depot Area, and West Concord Village. Agricultural and horticultural lands make up 4.5% of land in the town.

## **GEOLOGY, TOPOGRAPHY, AND SOILS**

***Concord has a rich diversity of soils, ranging from extensive areas of wet soils, hydric soils, soils with seasonally high water tables, and prime farmland.***

Concord's topography ranges from a low of 112 feet, where the Concord River flows into Carlisle, to 365-foot-high Annursnac Hill in the northwest. Concord has a rich diversity of soils, ranging from extensive areas of wet soils, hydric soils, soils with seasonally high water tables, and prime farmland. Sites with seasonably high water tables have been used for pastureland or conservation. The high water table corresponds with hydric soils and shallow depth to bedrock except for Punkatasset Hill. Hydric soils and high water table create ideal conditions for the abundant water resources in Concord, such as the Great Meadows National Wildlife Refuge, but are not suitable for development.

In contrast, Concord's well-drained soils are suitable for cultivation and supporting development such as buildings and roads. Prime farmland has the best physical and chemical properties for producing food. The soils are of the highest quality and can economically produce sustained high yields of crops when treated and managed according to acceptable

farming methods. Additionally, some areas have excessively drained soils. In Concord, surface soils have a localized limiting effect on development through access to drinking water (e.g., public wells), appropriateness for septic systems and wastewater treatment facilities, and occasional steep slopes.

## **WATERSHED**

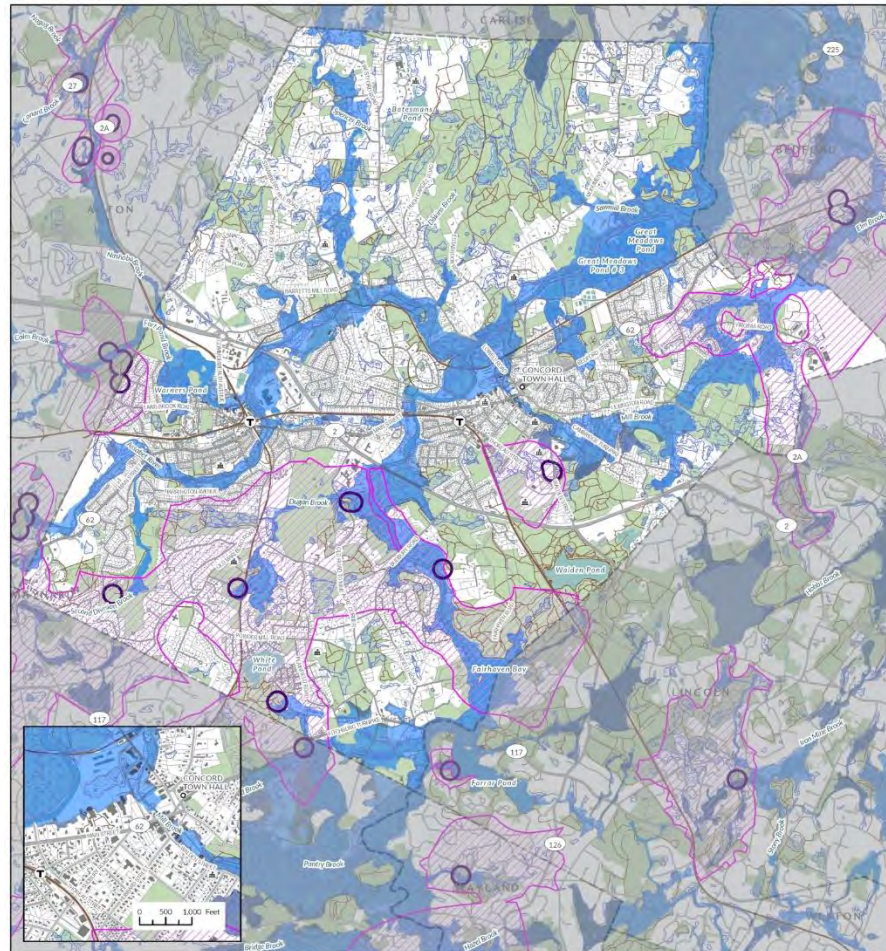
Concord sits within the SuAsCo watershed, consisting of the Sudbury, Assabet, and Concord sub-watersheds. The entire watershed drains roughly 377 square miles of land, affecting 36 municipalities and approximately 365,000 people. The Sudbury River enters Concord at the southern border after originating in the Great Cedar Swamp in the town of Westborough and flowing north through the Sudbury Unit of the Great Meadows Wildlife Refuge. The Assabet River also originates in Westborough and enters the Town at the southwest corner. Both the Sudbury and Assabet Rivers continue north and join to form the Concord River in the center of Town at the confluence point known as Egg Rock. The Concord River continues north for approximately 16 miles before flowing into the Merrimack River in Lowell.

## **SURFACE WATER BODIES**

Besides its three major rivers discussed above, Concord also has many significant streams and brooks: Elm, Mill, Jennie Dugan, Nashoba, Spencer, Second Division, and Saw Mill. Concord also has numerous larger ponds: Walden, White, Silver Hill, Kennedy's, Annursnac, Warner's, and Bateman's Ponds. Smaller ponds include Macone's, Hutchins, and Fairyland Ponds. Ponds are a critical part of Concord's open space and recreational resources on a regional, town, and neighborhood level.

## **WETLANDS AND VERNAL POOLS**

Wetlands are protected by federal, state, and local laws. Filling and draining wetlands, altering the soil, cutting vegetation, and developing land within 100 feet of wetlands or within 200 feet of a perennial stream are regulated and require approval from the Natural Resources Commission (NPC). To help provide both long-term and improved protection of these valuable resources, the Wetlands Bylaw (2009) includes a 25-foot No Disturb Zone policy, requires 100-foot protection to Certified Vernal Pools, and instituted an ability to impose fines. The Commission also continues enforcing a 50-foot No Build Zone policy, first implemented in 2004, to protect wetland resource areas better.



***Approximately 50% of the town is under the NRC jurisdiction per the Wetland Protections Act (WPA) and Wetlands Bylaw.***

Concord is rich in vernal pools, with 62 Certified Vernal Pools and 158 Potential Vernal Pools, as shown by MassGIS BioMap2 (2022). Vernal pools occur across the landscape where small woodland depressions, swales, or kettle holes collect spring runoff or intercept seasonally high groundwater tables. Some species of wildlife, such as wood frogs, spotted salamanders, and fairy shrimp, are dependent on vernal pools for their breeding and survival. In contrast, other species, such as spring peepers, breed in vernal pools but can breed and survive in different wetland habitats. Vernal pools also support rich and diverse invertebrate fauna. Beginning in 1987, vernal pools were also given some protection under the State's Wetlands

Protection Act (WPA). Approximately 50% of the town is under the NRC jurisdiction per the Wetland Protections Act (WPA) and Wetlands Bylaw.

## FLOODING AND CLIMATE CHANGE

FEMA flood maps indicate the 100- and 500-year flood hazard areas in the town (see water resources map). Flooding routinely occurs in Concord, ranging from minor inconveniences to major damage. The town's frequent flooding issues are related to high rain events such as heavy rainstorms, tropical storms, and winter rain, and are related to insufficient or inoperable flood management structures, all compounded during the spring rainy season when natural flood storage areas can be overwhelmed.

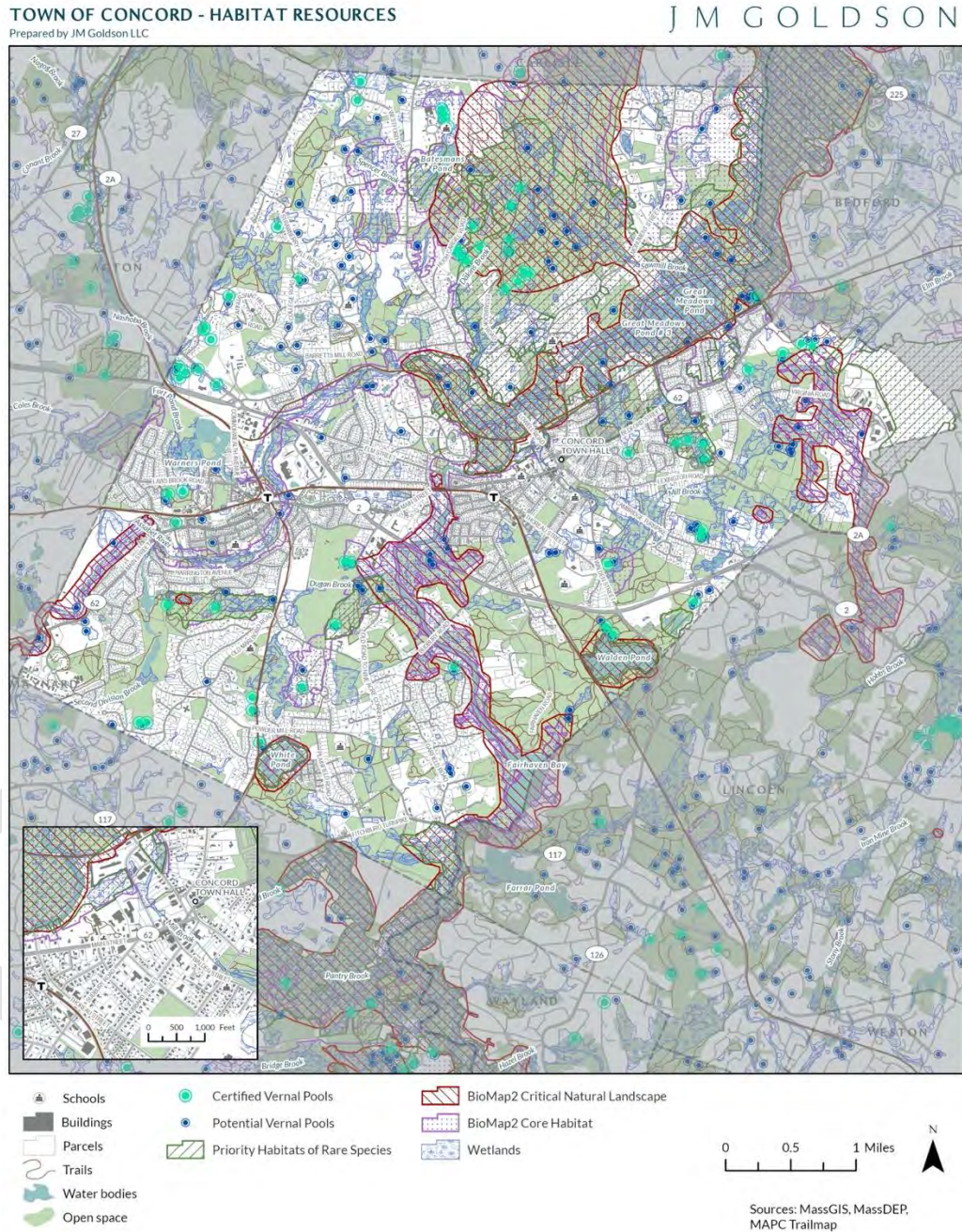
***Global climate change will only increase the frequency and severity of flooding events in Concord, as the warming atmosphere can hold and deposit more considerable amounts of moisture in more severe bursts.***

## VEGETATION

While Concord's predominant plant communities are characteristic of southern New England, the Town has a higher-than-average diversity of natural communities and flora. Its upland forest matrix of transition hardwoods on well-drained, acidic glacial till and typically includes red oak, white oak, black oak, white pine, black birch, and hickory species. A few healthy, old-growth pines and hemlocks of significant age and size still stand in protected areas of the Town Forest, Estabrook Woods, the Old Rifle Range, and along Conantum's western ridge.

Concord is distinguished by a diversity of wetland communities and plant associations, several of which are classified by the Natural Heritage and Endangered Species Program (NHESP) as priority natural communities that are imperiled or vulnerable, including stretches of small river floodplain forest along its three rivers, alluvial red maple swamp (at Great Meadows), level and kettle hole level bogs (most notably Gowing's Swamp, Bose's Meadow, and Jenny Dugan Kames bog), and acidic fens (the Andromeda Ponds and Heywood Meadow, west and southwest of Walden Pond). In addition, Concord has extensive shallow and deep emergent marshlands, numerous shrub and red maple swamps, wet meadows, highbush blueberry thickets, and inland acidic pond shore habitat. Gowing's Swamp is the most floristically diverse and intact bog remaining. Care should be taken to minimize the future impact on the bog by any alteration of the surrounding water table or its water chemistry, by localized exposure to sulfur dioxide emissions, by rapidly encroaching invasive plant species along its shoreline, and by the impacts of increased use of shoreline trails and egress onto the bog mat by the public and visiting dogs.

Three areas in Town support interesting pockets of locally rare flora due to calcite outcrops and circumneutral soils, including Estabrook Woods (from Punkatasset Hill to Mink Pond, the lime quarries, and Bateman’s Pond), Conantum, and on the east side of Annursnac Hill. Impacts to these areas can be mitigated with mindful town planning, land management, and public education, while others are more complex, longer-term, systemic problems need further study and broader resolution.



The mature trees that are found throughout the landscape in Concord define the character of the community and the historic feel of the Town. Entrusted with managing such a precious

resource, Concord Public Works has made significant investments throughout the years in properly caring for the urban forest. Some of these investments include having Town staff managing the trees, completing most of the maintenance work in-house, and when a removal is necessary, Concord Public Works tries to plant a new tree to replace the removed tree, subject to available funding. In 2017, Davey Resource Group inventoried and evaluated 23,781 trees planted within the public street right-of-way (ROW), public parks and public facilities. This was the first town-wide public shade tree inventory and assessment conducted in the Town of Concord<sup>31</sup>.

### RARE AND ENDANGERED SPECIES

Although no state-listed Areas of Critical Environmental Concern exist in Concord, the Town has 54 state-listed species of conservation interest according to the Natural Heritage Endangered Species Program (NHESP). The list compiled in NHESP's updated *Rare Species Viewer* (2020) gives a current list of the species of concern in Concord today.

### SCENIC AND HISTORIC RESOURCES

Concord is well-known for the extent, quantity, diversity, and quality of its historical and cultural resources. Six historic districts, many isolated National Register structures, Walden Pond, Minute Man National Historical Park, five large agricultural areas, and the abundant protected areas help define the town's special character. The Town's 2016 Demolition Review Bylaw covers buildings outside of the Local Historic Districts built before 1941 and on the National Register or State Register and/or in Concord's Survey of Historical and Architectural Resources, which is the Town's record of historic structures and areas of historic interest.

Historical resources have been effectively managed by independent organizations and by Town government through the Historical Commission and Historic Districts Commission. Outside of the established historic districts, large numbers of historic homes are unprotected from alteration or demolition. There is real concern amongst Concord residents that these homes will undergo small or incremental changes, or even be replaced by much larger homes that disregard local context, that will gradually erode town character.

***Approximately 20% of Concord's 8,374 buildings are surveyed, listed, or protected in some way.***

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<sup>31</sup> [https://concordma.gov/DocumentCenter/View/11621/Concord-Management-Plan-with-intro--Draft-11\\_29\\_2017](https://concordma.gov/DocumentCenter/View/11621/Concord-Management-Plan-with-intro--Draft-11_29_2017)

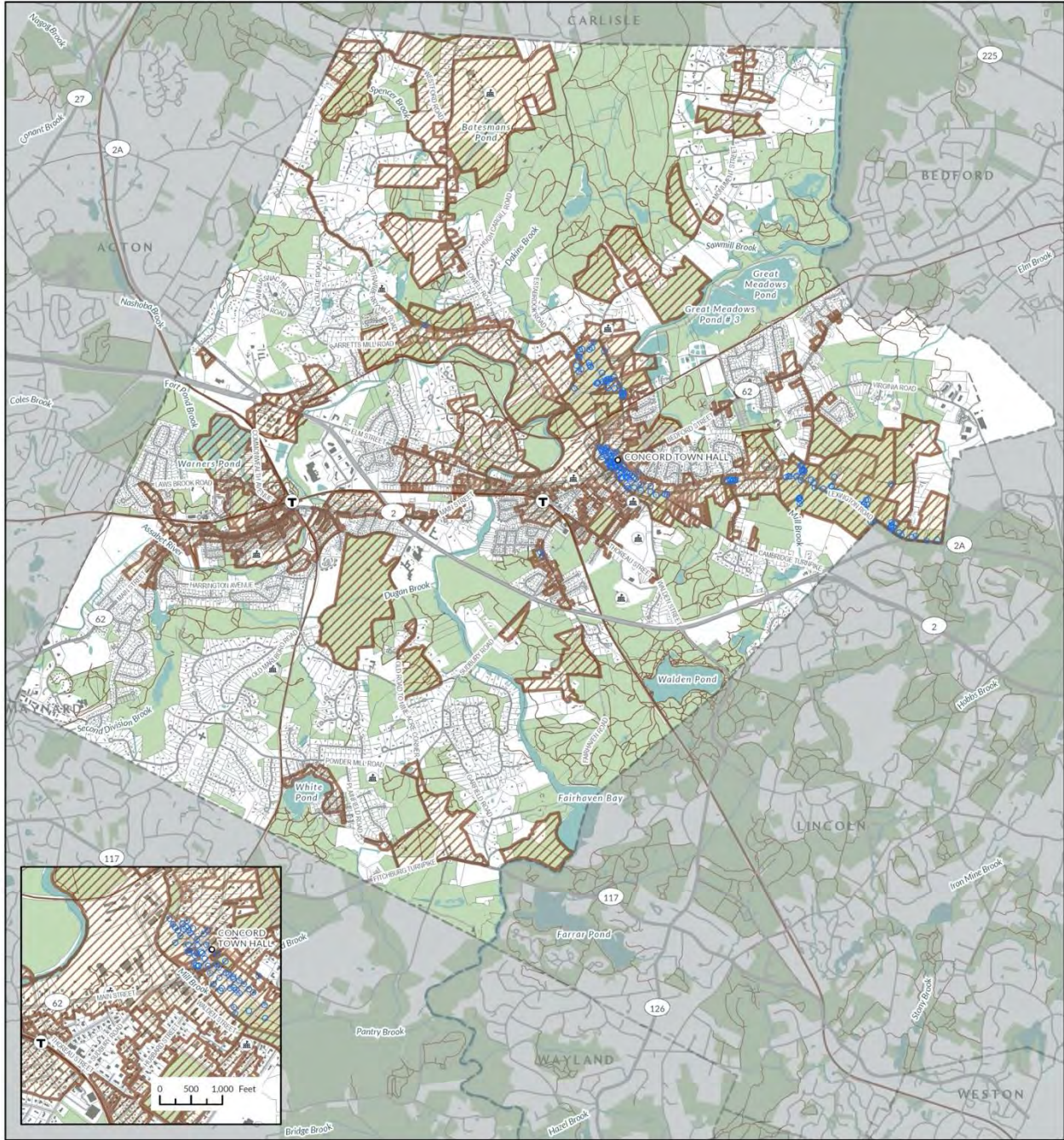
The Massachusetts Cultural Resource Information System (MACRIS) data maintained by the Massachusetts Historical Commission (MHC) lists 1,925 historic resource records for Concord, of which 136 are multi-building areas, 1,635 are individual buildings, and 104 are “structures,” such as bridges, mausoleums, fences, walls, gates, road/path systems, fields, etc. There are currently three National Register Districts and 24 other individual sites on the National Register, including six National Historic Landmarks.

In 1999, Congress specifically designated the three rivers for their “outstanding ecology, history, scenery, recreation values, and place in American literature.” The Sudbury-Assabet-Concord Wild and Scenic River status describes the rivers in Concord as an historic and cultural resource. It is the only river system in the country to be designated for literature and history!

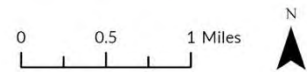
### HAZARDOUS WASTE SITES

As of April 2022, Concord has 714 confirmed waste sites and reportable releases registered with the Massachusetts Department of Energy and Environmental Affairs, almost all of which are closed. There are 14 sites currently listed on the EEA website with Activity and Use Limitations (AULs), mostly at the Concord Public Works garage but also at several local gas stations, the Concord-Carlisle High School Parking Lot, and the Emerson Hospital. The EPA Superfund site at 2229 Main Street (formerly, StarMet and Nuclear Metals Inc. or NMI) is undergoing remediation designed to bring the land up to a residential use standard. The Town of Concord will be able to take title to this land within the next 5 years and could conceivably use a portion of the 46-acre site for housing or other municipal purposes.

Concord Public Works maintains the former landfill for a variety of uses to benefit the community: yard waste recycling, Styrofoam collection, paint disposal, snow storage, invasive plant disposal, equipment storage, and a portable shooting range used for police training.



-  Schools
-  Buildings
-  Parcels
-  Trails
-  Water bodies
-  Open space
-  National Register District Site
-  MassHistoric Commission Inventory Districts



Sources: MassGIS, MassDEP, MAPC Trailmap

## INFRASTRUCTURE CAPACITY

### WATER AND SEWER<sup>32</sup>

*Almost all Concord residents have access to town water, and about 35% of the town residents have access to sewer.*

Concord's water system was established in 1872. The system consists of 6 groundwater supply wells and 1 surface water supply (in Acton), pumping stations, 2 storage reservoirs with 7.5 million gallons of capacity, and approximately 121 miles of water main serving approximately 95% of Concord residents, as well as a small population in Carlisle and Acton. Depending on the season, all available production facilities may be called upon to satisfy system demands that fluctuate from 1.5 million gallons per day in the winter to over 4 million gallons per day in the summer.

Concord's sewer system was originally established in 1900. The system includes a 1.2 million gallon-per-day centralized wastewater treatment facility, 2 sewer pumping stations, 6 sewer lift stations, and approximately 33 miles of sewer collection system. The system currently serves 1,692 customers or approximately 35% of the Town.

*Wastewater treatment is a constraint to development in most areas of the town.*

### SCHOOLS

A description of educational facilities and enrollment are presented in the Demographic Profile chapter.

### TRANSPORTATION

**Roads:** Major roadways in Concord, including Routes 2, 62, and 117, Elm Street, Cambridge Turnpike, and Lexington Road, allow residents easy access to downtown Boston and surrounding communities for work and leisure, as well as ample access for visitors from outside of town. Heavy dependence on privately-owned vehicles imposes hardships on the people who cannot afford cars or do not drive (e.g., students, seniors, lower-income individuals, and disabled individuals). People with limited access to cars may also be disadvantaged because of resulting limits on access to services, food, and jobs.

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<sup>32</sup> <https://concordma.gov/322/Water-Sewer>

**Transit:** The MBTA Fitchburg commuter rail line has two stops in Concord in two of the three village centers and serves as an important and attractive means of travel for residents commuting to and from work (primarily in Boston) and for visitors and employees coming to town. The Yankee Line, Inc. runs two commuter buses Monday-Friday from Crosby's Supermarket to Copley Center in Boston with occasional modifications in service.

***Concord is served by the MBTA Commuter Rail with service to Boston from two stations.***

**Sidewalks and Bikeways:** Concord has an extensive network of sidewalks, trails, and bikeways that residents utilize throughout town; however, the connectivity of these pathways could be improved. While there have been many requests for sidewalks and bike lanes as part of this planning effort, street layout and construction vary widely throughout the town, and only select roadways can be improved to accommodate "Complete Streets."

***Concord is a destination for cyclists attracted to its beauty, terrain, cultural sites, shopping, dining, and recreational resources.***

The Minuteman Bikeway (which currently ends in Bedford near the Concord town line) and the Bruce Freeman Rail Trail (which connects to Lowell in the north and eventually to Framingham in the south) allows some riders alternatives to roads, but also bring cyclists to Concord's streets and sidewalks. The Reformatory Branch Trail, which is a natural path between Monument Street and the Bedford town line, is also used by cyclists. There is a need for additional facilities in Concord to support cyclists and ensure that cyclists, pedestrians, and cars can safely coexist.

**Safe Routes to Schools:** The elementary schools and the middle school in Concord currently participate in MassDOT's Safe Routes to Schools (SRTS) program.

**Private Shuttles:** Concord previously had a shuttle bus system that was discontinued due to low levels of ridership. Today, there are a limited number of private shuttles that are run by Concord businesses solely for employee or client use. Several social service providers offer van services to assist their clients who do not drive; however, the funding for these transportation services are either grant-specific or have other limitations in place that restrict service providers to only using their vans/buses for their constituents. A seasonal trolley service connecting the main tourist sites with the MBTA stations is being piloted in 2022. Continuation decisions will be made in 2023.

**Council-on-Aging Vans:** The Council on Aging (COA) shuttle service is available for residents who are 60 years old or above for medical and shopping destinations, as well as COA programs and activities. The service is available by appointment only from Monday through Friday. There is a minimal suggested donation for trips with a recommendation to make appointments early since times can be booked months in advance.

**Ride Sharing:** Ride sharing services and the prevalence of access to smart-phone apps will be an important factor in future transportation services and may further erode the usefulness of private shuttles. However, any reduction of overall traffic and congestion from single-occupancy vehicles is preferable both for quality of life and the Town's sustainability goals.

DRAFT

## REGULATORY BARRIERS AND CONSIDERATIONS

In addition to environmental and infrastructure factors that affect development, local policies and regulations directly impact the location and physical attributes of development opportunities. Local zoning and land use policies are the two primary regulatory tools that can affect housing production in addition to other local regulations including local wetlands ordinances, Local Historic Districts, and the like. The Concord Zoning By-law describes the regulations that are applied to parcels of land and directs property owners on what can and cannot be done with their land. Zoning regulates which uses are permitted on the parcel, where a structure can be placed on a parcel, how tall a structure can be, how much parking is required, how much open space must be provided, and signage. These regulations shape the built environment and the mixture of uses across the community.

### ZONING REGULATIONS

Most the town is composed of residential (mainly single family) uses. Immediately adjacent to the village centers, there are dense residential neighborhoods with homes of various ages and styles that largely define community character in those areas. There are also three industrial zones in Concord located along Route 62/Main Street, in West Concord by Baker Avenue/Route 2, and on the eastern side of the town adjacent to Hansom Air Force Base.

#### LAND AREA DISTRIBUTION BY LAND USE<sup>33</sup>

Land Use Category	%	Acres
Hanscom Field/Airbase	2.6	423
Agriculture/Horticulture	4.5	746
Civic/Institution	6.5	1,074
Commercial	1.8	305
Industrial	0.6	107
Forest (Ch.61)/ Recreational (Ch. 61B)	38.7	6,390
Residential – Multifamily (2-3 Units)	0.4	67
Residential – Multifamily (4+ Units)	1.1	177
Residential – Single Family	36.8	6,080
Unlabeled Parcels/ Roadways	6.9	1,137
<b>Total</b>	<b>100</b>	<b>16,505</b>

Concord adopted its first zoning bylaw in 1928 which included four districts: industrial, business, general residence, and single residence. Concord’s zoning regulations have had regular amendments in the last decade to begin to address a variety of concerns. Amendments since the last Housing Production Plan in 2015 have responded to the

<sup>33</sup> Envision Concord: Bridge to 2030 (2018), Table 7: Land Area Distribution by Land Use, based on Town of Concord GIS and Tax Assessment Data

replacement of smaller homes with larger houses, the need for mixed-use redevelopment and other types of development in the village centers (particularly West Concord Village), and climate-related issues, such as impacts on wetlands and flood plains.

*In 2020, zoning was changed to expand the potential for development of attached and detached accessory dwelling units. In 2021, the bylaw was further amended to allow a two-family dwelling by Special Permit in the Residence C Zoning District, and to allow the Zoning Board of Appeals to reduce the requirement for two parking spaces for each dwelling unit.<sup>34</sup>*

The Zoning By-law now includes six classes of zoning districts: residential, commercial, limited business, medical-professional, industrial, and conservancy districts. Each major class of zoning has several sub-zones reaching a total of 29 base zoning districts and 3 overlay districts. The following provides a description of each zoning district and discusses their general purpose and allowable uses. Many uses in Concord require special permit by approval of the Zoning Board of Appeals (BA), which is the special permit and variance granting authority.

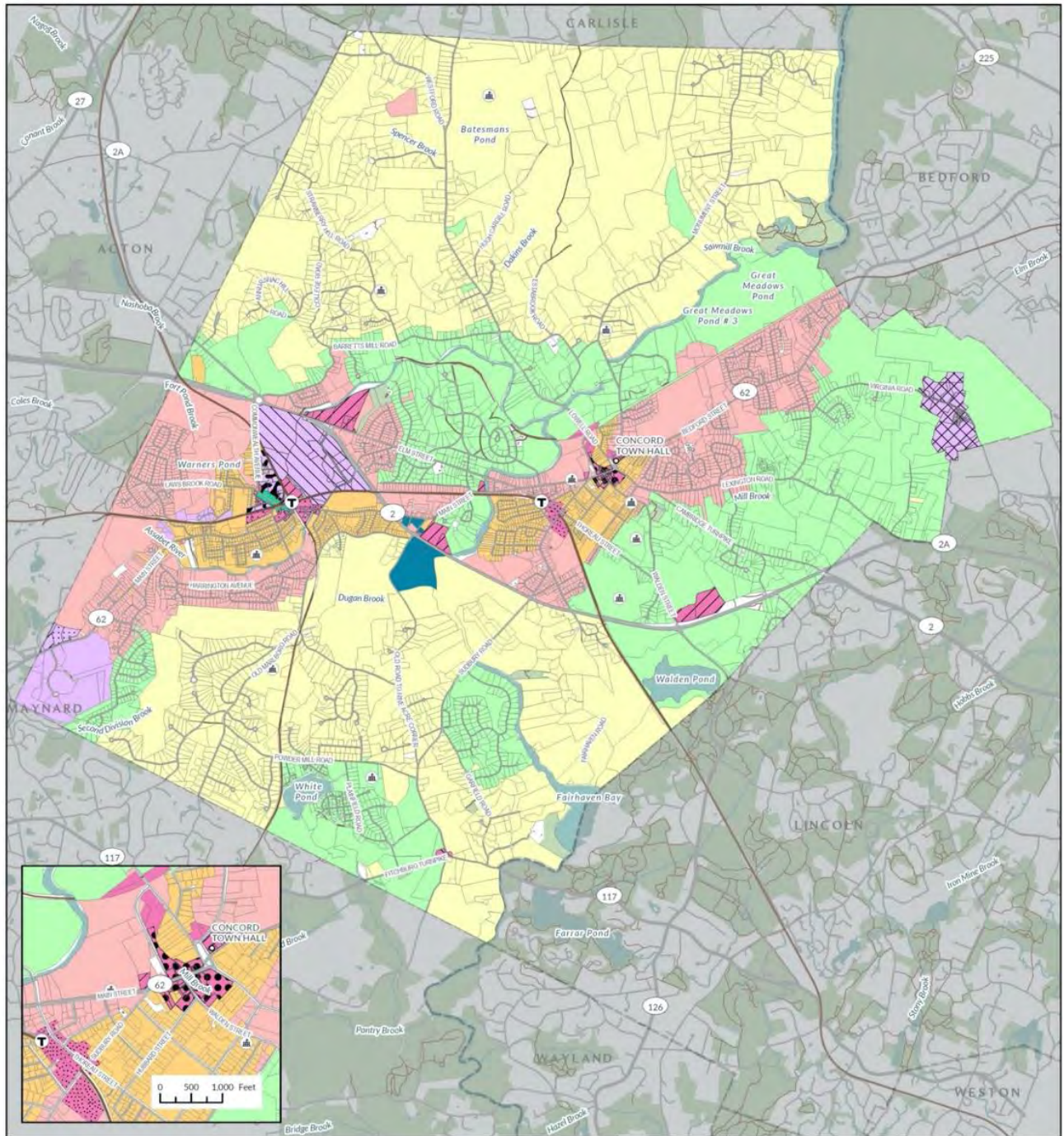
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<sup>34</sup> Concord Zoning Bylaws, 2021.

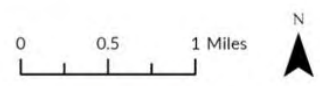
# TOWN OF CONCORD - ZONING

Prepared by JM Goldson LLC

J M GOLDSON



- |              |                 |                         |                           |
|--------------|-----------------|-------------------------|---------------------------|
| Schools      | <b>ZONING</b>   | Industrial Park A       | Nine Acre Corner Business |
| Buildings    | Residence A     | Industrial Park B       | Thoreau Depot Business    |
| Parcels      | Residence AA    | Limited Industrial Park | West Concord Business     |
| Trails       | Residence B     | West Concord Industrial | Medical Professional      |
| Water bodies | Residence C     | Business                | West Concord Village      |
| Open space   | Industrial      | Concord Center Business |                           |
|              | Industrial Park | Limited Business        |                           |



Sources: MassGIS, MassDEP, MAPC Trailmap

## Residential Districts

The residential class includes four districts, which require varying lot sizes from 80,000 sq. ft. to 10,000 sq. ft.: residence AA, A, B, and C. Residence AA is in the northwest and southeast portions of Town and primarily consists of agricultural lands and large-lot single-family subdivisions. The minimum lot area in this district is 80,000 square feet.

***The only residential uses allowed by-right in residential districts are single-family dwellings.***

Residence A provides a gradual step in density between AA and B and primarily surrounds the denser B and C zones in the central spine of the Town. In addition, A is located in three isolated areas in the southern part of Concord. Residence A allows a minimum lot area of 40,000 s.f.

Residence B is located closer to Concord's dense central spine (Route 62, or Main Street). This district allows a minimum lot area of 20,000 s.f.

The final residence district is C. This district allows a minimum lot area of 10,000 s.f. Single-family dwellings are once again the only use allowed by-right in this district, although two-family homes are now allowed as a special permit. The special permit for conversion to a two-family does not expire upon transfer of ownership.

Concord's zoning bylaw also allows Residential Cluster Development and Residential Compounds by special permit in all the residential and business districts. The Residential Cluster Development provision allows for more compact development of single-family dwellings on larger tracts of land. It also allows for greater density and reduction in open space requirements in return for donating a lot(s) to the Town for affordable housing. Residential Compounds do not require any deed restricted affordable housing.

***Concord's zoning bylaw provides some flexibility for Planned Residential Development (PRD). Planned residential developments allow for single-family detached, attached dwellings, or multi-unit structures of all types in accordance with Section 10 of the zoning bylaws in all Residential and Business Zones.***

Description of existing housing supply and trends can be found in the Housing Conditions chapter.

### Multifamily and Accessory Unit Overview

Except for the Planned Residential Development zoning provisions and two-family dwellings, current zoning limits the development of more flexible housing types, such as multi-family dwellings and limits greater density on lots.

***Zoning is a major constraint in diversifying Concord's housing efforts, because over 90% of the town is zoned for residential use, and the development pattern has been primarily single-family housing.***

Detached accessory units, which require a special permit from the Town, have allowed additional units to be added within existing neighborhoods zoned for single-family through the conversion of existing accessory structures that pre-date 1928 (e.g. barns, carriage houses or garages). Special permits have also allowed in-home accessory apartments to be created, increasing the number of additional units in Concord without adding to the number of buildings or substantially altering the appearance of the Town. Previously, the special permit for an accessory unit would expire upon sale or transfer of equity interest in the property to another owner. However, zoning changes at the 2022 Annual Town Meeting ended this expiration provision.

***Accessory Apartments (ADUs) are allowed by special permit in all Residential Districts.***

Description of existing housing supply and trends can be found in the Housing Conditions chapter.

### Affordable Housing

In the time since 2015, when the Housing Production Plan was last prepared, the Town has accomplished many housing initiatives. Accomplishments include advocating for and establishing an Affordable Housing Trust in 2021, funding the trust with an annual appropriation of \$500,000 (totaling \$2 million and counting), moving forward home rule petitions to further fund the trust, and adopting interim policy guidelines which were approved by the Select Board in 2022. Description of existing Subsidized Housing Inventory and pipeline can be found in the Housing Conditions chapter.

## Commercial, Limited Business, and Medical-Professional Districts

*The Commercial and Limited Business Districts allow combined business/residence uses by right<sup>35</sup>. This use allows multi-family housing when combined in the same building with commercial uses. It also requires that at least 20% of the dwelling units be affordable.*

## Industrial Districts

No residential uses are allowed in these districts as a right. The West Concord Industrial and Industrial Districts allow combined industrial/business/residence uses as a special permit. Combined industrial/business/residence are also allowed as a special permit in Industrial Park #1, and alternative Planned Residential Developments are allowed in Limited Industrial Park #2 as a special permit.

## Conservancy Districts

The Conservancy Districts and the Wireless Communication Facility(s) Overlay District are overlay districts whose boundaries are superimposed on the Residential, Commercial, Industrial and By-Pass Districts established by this Bylaw. Any developments must be located outside of the Flood Plain Conservancy District and Wetlands Conservancy District.

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<sup>35</sup> Except for no ground-floor residential is allowed in West Concord Village, no residential is allowed in Limited Business #4, and a special permit is required in the Medical Professional district.

# CHAPTER 6: IMPLEMENTATION CAPACITY AND RESOURCES

This chapter describes local and regional capacity and resources for the implementation of affordable housing initiatives, including local and regional housing organizations and funds. The Town of Concord has numerous organizations with a focus on supporting community housing, including local government entities and non-profit organizations, as well as regional agencies that facilitate housing initiatives. Concord stands out from other towns in both the number of housing entities, the coordination efforts among the different groups, and the funding commitments put forth, especially in recent years.

## KEY FINDINGS

- Between the subsidized units in public housing and the Section 8 programs the Concord Housing Authority operates 228 units and serves more than 375 people.
- Since its inception, the Concord Housing Foundation has raised almost \$1,000,000.
- In total, the Community Preservation Committee has appropriated \$27.1 million across all CPA categories, with 22% spent towards community housing per the 2020 CPA plan. Significant CPA funding is expected to continue in the future. In particular, the \$1M in CPA funding previously allocated to Junction Village and 2022 CPA funding allocated to the Assabet River Bluff acquisition.
- The Concord Housing Development Corporation sponsors affordable housing projects, most recently the Assabet River Bluff housing/open space land acquisition project.
- This Regional Housing Services Office serves as a long-standing model for other housing services offices in the state.
- The recently created Housing Trust currently has \$2 million allocated to it and may soon have as much as \$2.6 million available per year to use towards affordable housing.
- The Concord Housing Roundtable is a unique example of coordination and collaboration between municipal housing groups.

## LOCAL CAPACITY AND RESOURCES

### CONCORD HOUSING AUTHORITY

The Housing Authority was established in 1961. Its mission is to develop and manage safe, good-quality, affordable homes for low and moderate income and individuals and families while promoting community and self-reliance. The Concord Housing Authority operates more than 132 units across scattered sites throughout the community.

### CONCORD HOUSING AUTHORITY UNITS

Development Category	Name	# Units
State Elderly	Peter Bulkeley Terrace	28
State Elderly	Everett Gardens	32
State Elderly	Everett Gardens Extension	20
State Family	Scattered 2,3,4 Bedroom Sites	28
Project-based Section 8	Scattered 1,2,3,4 Bedroom Sites	18
Local Units	Scattered 1,2,3 Bedroom Sites	6
<b>Total</b>		<b>132</b>

The Concord Housing Authority also administers (85) Section 8 vouchers, which can be used in any community and do not count towards the Subsidized Housing Inventory. The CHA participates in the Centralized Section 8 Waiting list. The housing choice voucher program is the federal government's major program for assisting very low-income families, the elderly, and the disabled to afford decent, safe housing in the private market. The Concord Housing Authority operates 132 units of public housing and administers 85 Section 8 vouchers, assisting more than 375 people.

### CONCORD HOUSING FOUNDATION

The Concord Housing Foundation was established in 2001 as a non-profit 501c3 corporation dedicated to community outreach, education, and fundraising for affordable housing. It was originally created to support the Concord Housing Development Corporation (CHDC) and now also supports the Concord Municipal Affordable Housing Trust Fund, created in 2019. Its mission is through financial and other support, to preserve and create housing options that are affordable for households with a wide range of limited incomes, and thus protect the diversity of Concord's community.

*Since its inception, the Foundation has raised almost \$1,000,000.*

Funds have supported a variety of affordable housing projects including:

- 7 new homes on Baker Avenue and Gifford Lane
- 3 new homes on Old Bedford Road
- Lalli Woods houses, off Elm Street
- buying down a unit in an Elm Street development to make it affordable
- renovations at Peter Bulkeley Terrace (owned by the Concord Housing Authority)
- Walden Homes (5 homes behind the Concord Police/Fire Station)

- renovation of two housing units in the old McGrath Farmhouse for the farmers running Barrett's Mill Farm (where the agricultural land is owned by the town)
- Elm Brook, affordable small single family homes near Thoreau's birthplace on Virginia Road

## COMMUNITY PRESERVATION COMMITTEE

Concord adopted the Community Preservation Act at the 2004 Town Meeting. The Concord Community Preservation Committee was appointed in January 2005 to administer the CPA. The CPC is comprised of nine members. The Historical Commission, Housing Authority, Natural Resources Commission, Planning Board, and Recreation Commission each designate a member from their boards, and four at-large members are appointed by the Select Board. CPA funds may be used for the acquisition, creation, preservation and support of community housing. Housing affordability and housing needs are described in the most recent Community Preservation Plan (2020). The CPC has two main goals as it relates to community housing:

**GOAL 1:** Develop realistic, achievable targets for preserving or creating housing of all types (beyond the State Housing Inventory).

**GOAL 2:** Develop additional, self-sustaining funding mechanisms to support achieving the housing targets developed in Goal 1.

Since 2015, the Community Preservation Committee has funded the following community housing projects:

- Ongoing funding Concord's contribution towards the Regional Housing Services Office
- Funding an affordable housing buy down program which allows the Concord Housing Development Corporation to buy a unit to add to the affordable housing stock
- Funding reserves for future community housing projects
- Funding the construction of a two-bedroom single family home for the purposes of affordable housing
- Funding towards Phase II of the Peter Bulkeley Terrace Renovation
- Funding a Housing Production Plan update

***In total, the Committee has appropriated \$27.1 million across all CPA categories, with 22% spent towards community housing per the 2020 CPA plan.***

Significant CPA funding is expected to continue in the future. In particular, the \$1M in CPA funding previously allocated to Junction Village and 2022 CPA funding allocated to the Assabet River Bluff acquisition.

## CONCORD HOUSING DEVELOPMENT CORPORATION

The Concord Housing Development Corporation (CHDC) is a nonprofit housing corporation established by Chapter 275 of the Acts of 2006 and formed in 2007. It is a non-profit entity with its board members appointed by the Concord Select Board. The CHDC has the purpose of investigating and implementing alternatives for the provision of affordable housing for persons of low, moderate, and middle income and others whose needs may be identified from time to time in the town. The CHDC has a Small Grant Program designed to aid Concord residents in making repairs and alterations to their homes for safety and health reasons.

*The Concord Housing Development Corporation sponsors affordable housing projects, most recently the Assabet River Bluff housing/open space land acquisition project.*

## REGIONAL HOUSING SERVICES OFFICE

The Regional Housing Services office was established in 2011. Currently, it serves the towns of Acton, Bedford, Concord, Lexington, Lincoln, Maynard, Sudbury, Wayland, and Weston. It operates under an inter-municipal agreement to serve member towns and assist residents. The office does proactive affordable unit monitoring, program administration, and project development.

*This Regional Housing Services Office serves as a long-standing model for other housing services offices in the state.*

## CONCORD MUNICIPAL AFFORDABLE HOUSING TRUST

The Concord Municipal Affordable Housing Trust (CMAHT) complements the Town's existing affordable housing efforts, entities and programs, and can act quickly when affordable housing opportunities arise. The CMAHT has 5 trustees, including a member of the Select Board and the Town Manager. Select Board approval is needed for Trust to borrow money; mortgage or pledge trust assets; purchase, accept, sell, lease, exchange, transfer, abandon, convey interest in real, personal, mixed property; or to amend the Trust. The Bylaw directs Trustees to "develop policy goals and statements, consistent with the Town's adopted housing goals, and subject to approval by the Select Board, to serve as guidelines for the Trust. . Interim guidelines for the Trust were adopted in 2022. Updated guidelines will be promulgated following adoption of this updated Housing Production Plan.

In 2017, Town Meeting voters established an Affordable Housing Funding Committee whose package of recommended measures were approved by Town Meeting. In 2019, the package including accepting the Municipal Affordable Housing Trust statute, authorizing the filing of

two home rule petitions to fund the trust, and approving an initial annual appropriation \$500,000.

In 2019, Town Meeting voters filed two home rule petitions for dedicated funding for the Trust: for a real estate transfer fee and a building permit surcharge -- which were refiled for the 2021-2022 legislation session.

- Affordable Housing Funding Committee had estimated the home rule petitions would bring in \$2.6 million per year to the Trust
- Both bills reported out favorably by committee but not enacted by either the house or senate; and will need to be refiled for the 2023-2024 legislative session.

From 2019-2020 the Select Board appointed an Affordable Housing Trust Study committee, who drafted a bylaw., which was approved at the 2020 town meeting and subsequently approved by the Attorney General in February 2021. The Select Board made appointments to the Concord Municipal Affordable Housing Trust (CMAHT) which first convened in September 2021. The declaration of trust was filed in November of 2021. In 2022, the Trustees adopted interim policy guidelines, which were approved by the Select Board. Town Meeting voters have approved annual appropriations of \$500,000 in 2019, 2020, 2021, and 2022—for a total of \$2,000,000 thus far—which have been committed for affordable housing projects by the Select Board and, since December 2021, by the Concord Municipal Affordable Housing Trust (CMAHT). A fifth \$500,000 appropriation will be requested for the 2023 Town Meeting.

***Town Meeting voters have thus far allocated \$2,000,000 for the Concord Municipal Affordable Housing Trust, and filed home rule petitions which might add some \$2.6 million available per year to use towards affordable housing.***

## CONCORD HOUSING ROUNDTABLE

The Concord Housing Authority, Concord Housing Foundation, Concord Housing Development Corporation, and now the Concord Municipal Affordable Housing Trust boards convene twice a year – facilitated by the Regional Housing Services Office -- as the Concord Housing Roundtable.

***The Concord Housing Roundtable is a unique example of coordination and collaboration between municipal housing groups.***

## TOWN PLANNING STAFF

Concord's Planning Staff includes a Director of Planning and Land Management, a Town Planner, a Senior Planner, and two Administrative Assistants. The Senior Planner devotes some of her time to administration work for the Community Preservation Committee.

## LOHA COALITION

The Local Option for Housing Affordability ("LOHA") Coalition is working to create and support affordable housing with a real estate transfer fee. The LOHA Coalition is comprised of the following cities and towns: Boston, Concord, Somerville, Nantucket, Brookline, Provincetown, Chatham, Cambridge, and Arlington.

## LEAGUE OF WOMEN VOTERS

In January 2019, the League of Women Voters of Concord-Carlisle Housing Issues Committee met with the Town about the need for more affordable housing in Concord. In coordination with the Town, the Housing Issues Committee researched publicly owned properties which might provide some opportunities for affordable housing. They presented this report to the Town in 2021. The full list of these sites, and the Town Planning staff response is in the Appendix. Select sites are described in the Goal and Strategy chapter.

# APPENDICES

## CONCORD SUBSIDIZED HOUSING INVENTORY

Development Name	Address	DHCD ID #	SHI Units	Rent or Own
365 Commonwealth Ave	365 Commonwealth Ave Concord, MA 01742	n/a	0	Rent
405 Old Bedford Road	409 -417 Old Bedford Road Concord, MA 01742	9381	4	Rent
930 Main Street	930 Main Street Concord, MA 01742	10718	2	Own
Baker Homes	Baker Ave and Gifford Lane Concord, MA 01742	9015	7	Own
Black Birch II	Black Birch Lane Concord, MA 01742	n/a	0	Own
Brookside Square	50 Beharrell Street Concord, MA 01742	9834	8	Rent
Burke Farm	Old Bedford Road Concord, MA 01742	9016	3	Own
Community Housing Options	22 West Street Concord, MA 01742	800	20	Rent
Concord Commons	Conant Street Concord, MA 01742	9017	3	Own
Concord Homes	Peabody Ct/Fuller Ln/Dunbar Way Concord, MA 01742	803	5	Own
Concord Housing Authority - Federal Family Scattered Sites	199-205 Conant St, 23 Cottage St, 14-16 Bedford Ct, 277-279 Commonwealth Ave, 1031 Main St, 405 Bedford St, 156 Peter Spring Rd, 145 Powder Mill Rd, 102 Upland Rd. Concord, MA 01742	4774, 4778, 4777, 4776, 4779, 4775, 4780, 4782, 4781	18	Rent

Concord Housing Authority - State Family Scattered Sites	282 Thoreau St, 151 Strawberry Hill Rd., 39A Bedford St, 275 Walden St & 35 Grove St, 33C Westvale Meadow, 4 Bartkus Farm Rd Concord, MA 01742	791, 796, 797, 798, 799	35	Rent
Concord Park	68 Commonwealth Avenue Concord, MA 01742	n/a	0	Rent
Concord Walden Condominium	Walden Street Concord, MA 01742	9382	5	Own
DDS Group Homes	Confidential Concord, MA 01742	4249	23	Rent
Elm Brook	Elm Brook Concord, MA 01742	9385	3	Own
Elm Place	Elm Street Concord, MA 01742	9384	2	Own
Emerson Annex	Stow Street Concord, MA 01742	802	10	Own
Emerson Annex Rental	Stow Street Concord, MA 01742	801	1	Rent
Everett Gardens	34 Everett Street Concord, MA 01742	794	32	Rent
Everett Gardens Expansion	Concord, MA 01742	793	20	Rent
Fairhaven Gardens	Abbot Lane (aka 1000 Concord Turnpike) Concord, MA 01742	4784	42	Rent
Finigan Way	Strawberry Hill Rd Concord, MA 01742	9143	6	Own
Granite Post/Old Bedford Road	Old Bedford Road (Granite Post Rd) Concord, MA 01742	9658	1	Own
Junction Village	6X Winthrop Street Concord, MA 01742	10142	0	Rent
Lalli Woods	Elm Street Concord, MA 01742	9383	3	Own
Millstone Concord	1888 Main St Concord, MA 01742	9951	1	Own

Peter Bulkeley Terrace	115 Stow Street Concord, MA 01742	795	28	Rent
Riverbend Condo	78 Forest Ridge Rd Concord, MA 01742	10612	1	Own
Riverbend Condo Rental	101 Forest Ridge Rd Concord, MA 01742	n/a	0	Rent
Riverwalk	1641 Main Street Concord, MA 01742	n/a	0	Own
Shaw Farm Village	Shaw Farm Road Concord, MA 01742	9647	2	Own
The Prescott (Concord Mews)	48 Old Powdermill Rd Concord, MA 01742	9044	350	Rent
Warner Woods	247 Laws Brook Road Concord, MA 01742	3704	80	Rent
Westvale Meadows	1691 Main Street Concord, MA 01742	n/a	0	Own

DRAFT

## DHCD AFFIRMATIVE FAIR HOUSING GUIDELINES

The Commonwealth of Massachusetts has a compelling interest in creating fair and open access to affordable housing and promoting compliance with state and federal civil rights obligations. Therefore, all housing with state subsidy or housing for inclusion on the SHI shall have an Affirmative Fair Housing Marketing Plan. To that end, DHCD has prepared and published comprehensive guidelines that all agencies follow in resident selection for affordable housing units.

In particular, the local preference (if justified) allowable categories are specified:

- **Current Residents.** A household in which one or more members is living in the city or town at the time of application. Documentation of residency should be provided, such as rent receipts, utility bills, street listing, or voter registration listing.
- **Municipal Employees.** Employees of the municipality, such as teachers, janitors, firefighters, police officers, librarians, or Town hall employees.
- **Employees of Local Businesses.** Employees of businesses located in the municipality.
- **Households with Children.** Households with children attending the locality's schools.

The latest revisions to the guidelines were in December 2014. The full guidelines can be found in Section III here: [GUIDELINES \(mass.gov\)](#)

# INTERAGENCY BEDROOM MIX POLICY

## INTERAGENCY AGREEMENT

### Regarding Housing Opportunities for Families with Children

This Interagency Agreement (this "Agreement") is entered into as of the 17th day of January, 2014 by and between the Commonwealth of Massachusetts, acting by and through its Department of Housing and Community Development ("DHCD"), the Massachusetts Housing Partnership Fund Board ("MHP"), the Massachusetts Housing Finance Agency (in its own right and in its capacity as Project Administrator designated by DHCD under the Guidelines for Housing Programs in Which Funding is Provided By Other Than a State Agency, "MassHousing"), the Massachusetts Development Finance Agency ("MassDevelopment") and the Community Economic Development Assistance Corporation ("CEDAC"). DHCD, MHP, MassHousing, MassDevelopment and CEDAC are each referred to herein as a "State Housing Agency" and collectively as the "State Housing Agencies".

### Background

A. DHCD's 2013 Analysis of Impediments to Fair Housing Choice ("AI") includes action steps to improve housing opportunities for families, including families with children, the latter being a protected class pursuant to fair housing laws, including the federal Fair Housing Act, as amended (42 U.S.C. §§ 3601 *et seq.*) and Massachusetts General Laws Chapter 151B. In order to respond to development patterns in the Commonwealth that disparately impact and limit housing options for families with children, such steps include requiring a diversity of bedroom sizes in Affordable Production Developments that are not age-restricted and that are funded, assisted or approved by the State Housing Agencies to ensure that families with children are adequately served.

B. The State Housing Agencies have agreed to conduct their activities in accordance with the action steps set forth in the AI.

C. This Agreement sets forth certain agreements and commitments among the State Housing Agencies with respect to this effort.

### Definitions

1) "Affordable" - For the purposes of this Agreement, the term "Affordable" shall mean that the development will have units that meet the eligibility requirements for inclusion on the Subsidized Housing Inventory ("SHI").

2) "Production Development" - For purposes of this Agreement "Production Development" is defined as new construction or adaptive reuse of a non-residential building and shall include rehabilitation projects if the property has been vacant for two (2) or more years or if the property has been condemned or made uninhabitable by fire or other casualty.



## Agreements

NOW, THEREFORE, DHCD, MHP, MassHousing, MassDevelopment and CEDAC agree as follows:

### Bedroom Mix Policy

1) Consistent with the AI, it is the intention of the State Housing Agencies that at least ten percent (10%) of the units in Affordable Production Developments funded, assisted or approved by a State Housing Agency shall have three (3) or more bedrooms except as provided herein. To the extent practicable, the three bedroom or larger units shall be distributed proportionately among affordable and market rate units.

2) The Bedroom Mix Policy shall be applied by the State Housing Agency that imposes the affordability restriction that complies with the requirements of the SHI.

3) The Bedroom Mix Policy shall not apply to Affordable Production Developments for age-restricted housing, assisted living, supportive housing for individuals, single room occupancy or other developments in which the policy is not appropriate for the intended residents. In addition, the Bedroom Mix Policy shall not apply to a Production Development where such units:

- (i) are in a location where there is insufficient market demand for such units , as determined in the reasonable discretion of the applicable State Housing Agency; or
- (ii) will render a development infeasible, as determined in the reasonable discretion of the applicable State Housing Agency.

4) Additionally, a State Housing Agency shall have the discretion to waive this policy (a) for small projects that have less than ten (10) units and (b) in limited instances when, in the applicable State Housing Agency's judgment, specific factors applicable to a project and considered in view of the regional need for family housing, make a waiver reasonable.

5) The Bedroom Mix Policy shall be applicable to all Production Developments provided a Subsidy as defined under 760 CMR 56.02 or otherwise subsidized, financed and/or overseen by a State Housing Agency under the M.G.L. Chapter 40B comprehensive permit rules for which a Chapter 40B Project Eligibility letter is issued on or after March 1, 2014. The policy shall be applicable to all other Affordable Production Developments funded, assisted, or approved by a State Housing Agency on or after May 1, 2014.



## COMPREHENSIVE PERMIT DENIAL AND APPEAL PROCEDURES

(a) If a Board considers that, in connection with an Application, a denial of the permit or the imposition of conditions or requirements would be consistent with local needs on the grounds that the Statutory Minima defined at 760 CMR 56.03(3)(b or c) have been satisfied or that one or more of the grounds set forth in 760 CMR 56.03(1) have been met, it must do so according to the following procedures. Within 15 days of the opening of the local hearing for the Comprehensive Permit, the Board shall provide written notice to the Applicant, with a copy to the Department, that it considers that a denial of the permit or the imposition of conditions or requirements would be consistent with local needs, the grounds that it believes have been met, and the factual basis for that position, including any necessary supportive documentation. If the Applicant wishes to challenge the Board's assertion, it must do so by providing written notice to the Department, with a copy to the Board, within 15 days of its receipt of the Board's notice, including any documentation to support its position. The Department shall thereupon review the materials provided by both parties and issue a decision within 30 days of its receipt of all materials. The Board shall have the burden of proving satisfaction of the grounds for asserting that a denial or approval with conditions would be consistent with local needs, provided, however, that any failure of the Department to issue a timely decision shall be deemed a determination in favor of the municipality. This procedure shall toll the requirement to terminate the hearing within 180 days.

(b) For purposes of this subsection 760 CMR 56.03(8), the total number of SHI Eligible Housing units in a municipality as of the date of a Project's application shall be deemed to include those in any prior Project for which a Comprehensive Permit had been issued by the Board or by the Committee, and which was at the time of the application for the second Project subject to legal appeal by a party other than the Board, subject however to the time limit for counting such units set forth at 760 CMR 56.03(2)(c).

(c) If either the Board or the Applicant wishes to appeal a decision issued by the Department pursuant to 760 CMR 56.03(8)(a), including one resulting from failure of the Department to issue a timely decision, that party shall file an interlocutory appeal with the Committee on an expedited basis, pursuant to 760 CMR 56.05(9)(c) and 56.06(7)(e)(11), within 20 days of its receipt of the decision, with a copy to the other party and to the Department. The Board's hearing of the Project shall thereupon be stayed until the conclusion of the appeal, at which time the Board's hearing shall proceed in accordance with 760 CMR 56.05. Any appeal to the courts of the Committee's ruling shall not be taken until after the Board has completed its hearing and the Committee has rendered a decision on any subsequent appeal.

Source: DHCD Comprehensive Permit Regulations, 760 CMR 56.03(8)

# LEAGUE OF WOMEN VOTERS HOUSING SITES

## COMMENTS AND OBSERVATIONS RE: 2021 LWV POTENTIAL AFFORDABLE HOUSING SITES



### TOWN OF CONCORD

#### Department of Planning & Land Management

141 Keyes Road – Concord MA – 01742

#### MEMORANDUM

To: Housing Roundtable  
From: Marcia Rasmussen, Director Planning & Land Management  
Re: **Comments/observations re: 2021 LWV potential affordable housing sites**  
Date: November 5, 2021

I understand there is a desire for a response to the 2021 League of Women Voters Housing Issues Committee list of “Possible Sites for Affordable Housing in Concord”, as to why there has been no action or movement toward developing housing at these locations. This list, initially generated in 2018, will be included in the Housing Production Plan, which should be underway in 2022.

The Concord Housing Authority (which is not a Town department, but a separate independent agency governed by the U.S. Department of Housing and Urban Development) is responsible for several parcels that were identified by the LWVCC Housing Issues Committee. The CHA would be better able to provide answers about future actions. I have provided my observations below.

#### **Parcel 1208 and 1213: 399, 401, 405, Bedford Street**

These parcels have promise for further review and analysis by the Concord Housing Authority. Additional development would require tie into the Town sewer, which could then allow development over the existing septic system location. Could potentially replace or renovate the existing 8 units. Potential for an additional 4-8 new units.



#### **Parcel 1986-6-1: Strawberry Hill Road**

There are an existing six units of affordable housing on this site. The Concord Housing Authority might consider the addition of two units in front or back of the existing homes depending on the location of the existing on-site septic system and whether the existing system could accommodate additional bedrooms.



**Parcel 0247 – 267-279 Walden Street**

There are an existing six units within three buildings at this location. There are concerns about flood plain and wetlands issues and potential turn-around within the site; however, access may be possible from the existing cart path along the north property line. Additionally, this parcel is already on Town sewer, so additional connections may be possible. The CHA may want to consider the possibility of an additional 2-family structure at the rear of this parcel in future planning efforts.



**Other CHA properties identified in the LWV list were:**

1031 Main Street – an existing single-family home on a 10,122 sq. ft. lot. – very little additional development potential.

156 Peter Spring Road – an existing single-family home on a 20,623 sq. ft. lot – very little additional development potential.

14-16 Bedford Court – an existing two-family house on 4,069 sq. ft. – this lot has already been fully developed.

**Town-owned properties identified in the LWV list:** All Town-owned properties are under the purview or responsibility of various town departments, including the school district. Any use of town-owned land for housing purposes would require the responsible department or agency to declare the land as excess and then transfer of the land would require vote of Town Meeting.

**Parcel 2999 – 1232 Old Marlboro Road**

Current site of the Peabody Middle School and actively in use as a school for another 3-5 years. Unknown whether there are other town uses that may take precedence for the use of this site as affordable housing. Existing bedrock on site required construction of an off-site septic system located on Parcel 2997-1 on Powder Mill Road. The location is remote from village centers.



**Parcel 3977 – 735 Main Street**

The building and land are co-owned by the Town of Concord and the Concord Municipal Light Plant and is currently in use by CMLP. The Town’s Facilities Department is also using the building for storage of supplies and equipment. Other town uses for the property are in discussion. The site is located on Town sewer and excess land, if any, could provide an affordable housing location. Further discussion regarding municipal need for the land is necessary.



**Parcel 4187 – 120 Meriam Road**

Parcel 4187 is the site of the Ripley building, which is the current location of the administrative offices for the Concord Public Schools and the Concord-Carlisle Regional School District. The parcel is 17.76 acres and includes parking facilities and playing fields.



Parcel 4209, located north of the Ripley building site, includes 11.83 acres of land that is currently in farming and community garden use. This parcel, also known as the Ammendolia land, has high ground water and challenging access (there is a narrow parcel of land to Ash St./Ridgeway Rd. and potential wetlands crossing). There was significant opposition to a proposal to install solar panels at this location in the past.

Parcel 4185-2, containing 12.72 acres and located south of the Ripley building site, was acquired for future school use with proceeds from the sale of other School land on Strawberry Hill Road was sold for housing purposes. This parcel, also known as the Burke land, also has high ground water issues. It is currently in farming use. At the time the farm field was acquired, the house associated with the land was purchased by the Concord Housing Trust and three units of housing was constructed on the excess land when Town sewer was extended on Old Bedford Road.

**The following parcels are owned by the Commonwealth of Massachusetts:** These properties must go through a rigorous process to be declared surplus then offered to all other agencies of the Commonwealth before they can be made available for housing purposes. In some cases, the land would have to be purchased at full market value, depending on how it was initially acquired.

**Parcel 3821 – 91B Main Street**

This parcel, containing 1.45 acres, is located adjacent to the house being renovated as a two-family by Habitat for Humanity. The Town has been in contact with the State regarding declaring the property as surplus and have been told that an appraisal must be conducted prior to sale. Due to the initial acquisition process, full market value is requested.



**Parcel 3668-1 – 1733 Concord Turnpike**

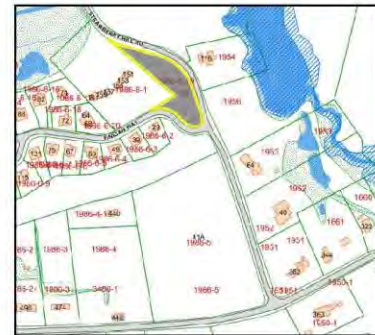
This parcel, containing 1.32 acres, is located southeast of the afore-noted parcel at 91B Main Street. It is a U-shaped parcel and has access from Emerson Road and provides access to the adjacent parcel owned by Concord Oil. Concord Oil continues its use of the site. There would need to be a 21E review to determine whether there has been any contamination at this location.



**Other parcels identified in the LWV list, but noted as unlikely due to community opposition, included:**

**Parcel 1986-6-19 – 13A Strawberry Hill Road**

This 1.12 acres parcel, located between a Concord Housing Authority site and Strawberry Hill Road, is a narrow, steeply sloped site, and is an unlikely housing location.



**Parcel 1986-5 – 41A Barrett’s Mill Road**

This 7.47 acre parcel, under the purview of the Concord Public Schools, is located at the intersection of Barrett’s Mill Road and Strawberry Hill Road (also shown in the map to the right). The parcel is immediately adjacent to the historic Colonel Barrett House, which was the destination of the British regulars on April 19, 1775. The land has been continuously farmed since that time and has been added to the defined area of the Minute Man National Park. Due to its historic character, the land is an unlikely prospect for an affordable housing location.



**Parcel 3000 – 78 Old Pickard Road**

This 9.96 acre parcel is under the purview of the Concord Public Schools and is the current site of the Cushing playing field. There is also ledge at this location, which makes installation of an on-site septic system challenging.

## Special Town Meeting Warrant Articles

Special Town Meeting Scheduled for January 19, 2023

Article Number	Article Name	Sponsor	Recommendation
1	Fossil Fuel Infrastructure: Confirm Authorization To Apply For Participation In Fossil Fuel-Free Demonstration Project	Select Board	
2	Reauthorize Special Legislation Petition – Real Estate Transfer Fee for Affordable Housing	Select Board	
3	Reauthorize Special Legislation Petition – Building Permit Fee Surcharge for Affordable Housing	Select Board	
4	Community Preservation Act Community Housing Reserve Fund	Community Preservation Committee	
5	Concord Middle School Building Project	Middle School Building Committee	

**Correspondence**

**Date:**

1. 12/01/2022

**From:**

Concord Retirement Board

**Subject:**

Election Results

# CONCORD RETIREMENT SYSTEM

2250 Main Street  
Concord, Massachusetts 01742

## **Board Members:**

Peter J. Fulton, Elected, Chairman  
Mary M. Barrett, Ex Officio  
Kerry Lafleur, Appointed  
Brian J. Whitney, Elected  
Eric Macy – 5<sup>th</sup> Member, Appointed



OLD NORTH BRIDGE

Linda A. Boucher  
*Executive Director*

Telephone: (978) 759-6057  
(978) 759-6054

[lboucher@concordretirement.org](mailto:lboucher@concordretirement.org)

Fax No.: (978) 610-6778

December 1, 2022

To the Honorable Select Board  
Town House  
22 Monument Square  
PO Box 535  
Concord, MA 01742

Re: Retirement Board Election

Ladies and Gentlemen:

Please be advised that at the meeting of the Concord Retirement Board held on Tuesday, October 25, 2022, the Board determined that Peter J. Fulton was the only candidate nominated for the Third Member of the Concord Retirement Board. Therefore, it was voted to declare Peter J. Fulton to be elected the Third Member of the Concord Retirement Board in accordance with M.G.L. Chapter 32, 840 CMR 7.00. His term will commence on October 30, 2022 and will expire on October 29, 2025.

Sincerely,

Linda A. Boucher  
Election Officer  
Executive Director, Concord Retirement Board

cc: Town Clerk  
PERAC  
Frank Valeri