



OLD NORTH BRIDGE

TOWN OF CONCORD

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

Select Board Meeting

Monday, September 15, 2025 at 5:30 PM
Town House 22 Monument Square
Select Board Meeting Room and via Zoom

Join Zoom Meeting

<https://us02web.zoom.us/j/85175010709?pwd=eArYoenACNjRTa3Caem4iFwwce5YI7.1>

Meeting ID: 851 7501 0709

Passcode: 905480

Dial In Toll-Free: 833 928 4608

	Time	Agenda Item
I.	5:30 PM	<p>Executive Session under M.G.L. c. 30A, § 21(a)(2) to conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel (Kerry Lafleur, Town Manager)</p> <p>Executive Session under M.G.L. c. 30A, § 21(a)(6) to consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body</p> <p>Executive Session Minutes for Approval but not to be released: August 11, 2025, August 25, 2025</p>
II.	6:00 PM	<p><i>Public Comment:</i> Public Comment is an opportunity for the public to address the Select Board on matters under consideration by the Select Board. Therefore, comments related to political campaigns are not appropriate. Public Comment is limited to up to 15 minutes, with no more than 3 minutes allocated to any one speaker. Public Comment is limited to items that are not on the agenda.</p>
III.	6:15 PM	<p>Consent Agenda:</p> <ul style="list-style-type: none"> a. Minutes Approval: July 22, 2025; August 18, 2025; August 25, 2025; August 26, 2025; September 5, 2025 b. Town Account Warrants: September 11, 2025, August 22, 2025 c. Nominations:

IV.	6:25 PM	<p>Select Board Appointments:</p> <ul style="list-style-type: none"> a. The reappointment of John Flaherty of 156 Upland Rd. to the Financial Audit Advisory Committee as an at large member for a term to expire May 31, 2028. b. Stuart Ikeda of 35 Allen St., Arlington to the Economic Vitality Committee for a term to expire May 31, 2028 and to be exempt from APP #10, Residential Requirements. c. Matt Boger of 121 Baker Avenue to the Land Use Working Group as a representative of the Recreation Commission for a term to expire at the completion of the work outlined in the charge. <p>Town Manager Appointments with Select Board Approval:</p> <ul style="list-style-type: none"> a. Karen Young of 49 Crest St. to the Commission on Disability for a term to expire May 31, 2028. b. Justine Martinelli of 9 Nathan Pratt Drive Unit 5 to the Commission on Disability for a term to expire May 31, 2028.
V.	6:30 PM	<p>Chair's Report</p> <p>Merit Pay Increase Announcement, Town Manager</p>
VI.	6:40 PM	Town Manager's Report
VII.	6:55 PM	<p>Public Hearing for Grant of Location Petition for Pole relocation for Old Marlboro Road from Verizon New England Inc. and Concord Municipal Light Plant (CMLP).</p> <p>Presenters: Don Voner, Right-Of-Way Specialist, Verizon, Joseph Repoff, Assistant Director of Concord Municipal Light Plant and Jeff Cosgrove, Lead Electrical Engineer Concord Light Plant, Representative, CPW Engineering.</p>
VIII.	7:05 PM	<p>Discuss and Vote to Approve the Donation of a Teak Bench, the Cost of Installation, valued at more than \$500.00, the placement and engraved plaque; Donated by the Friends of the Bruce Freeman Rail Trail</p> <p>Presenter: Delia Kaye, Natural Resources Director</p>
IV.	7:15 PM	<p>Discuss and Vote Habitat for Humanity LIP Application for Assabet River Homes</p> <p>Presenter: Elizabeth Rust, Director, Regional Housing Services Office</p>
X.	7:25 PM	<p>Discuss Fiscal Year 2027 Budget</p> <p>Presenter: Kerry Lafleur, Town Manager & Ryan Ferrera, Interim CFO</p>

XI.	7:40 PM	Discuss and Vote: Bias/ Hate Incident Reporting Work Group Charge Presenter: Mark Howell, Chair and Paul Boehm, Member
XII.	7:55 PM	EPA Letter on Reconsideration of 2009 Endangerment Finding and Greenhouse Gas Vehicle Standards Presenter: Wendy Rovelli, Clerk
XIII.	8:05 PM	Select Board Liaison Reports
XIII.	8:15 PM	Adjournment

* *Times are approximate and subject to change*

Upcoming Meetings:

Monday, October 6, 2025 Monday, October 20, 2025 Monday, November 3, 2025



The Town of Concord endeavors to make public meetings accessible to all members of the community. To request a meeting accommodation or modification, please contact our ADA Coordinator Jessica Porter at jporter@concordma.gov or at 978-318-3028. Please make any requests for accommodation or modifications at least two (2) business days prior to the scheduled meeting.

Please see the Town of Concord website at <https://concordma.gov/739/Vacancies---Member-Positions> to learn about volunteer opportunities on boards and committees.

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Minutes
July 22, 2025**

Pursuant to notice duly filed with the Town Clerk, the Concord Select Board convened in a joint meeting with the Concord School Committee and Concord-Carlisle School Committee on Tuesday, July 22, 2025 via Zoom only.

Present were: Mark Howell, Chair, Wendy Rovelli, Clerk, Paul Boehm, Mary Hartman

Call to Order

Chair Howell called the meeting to order at 6:00 PM. Mr. Howell confirmed that members present were himself, Mr. Boehm, Ms. Hartman, and Ms. Rovelli.

Opening Statements

Mr. Herchek and Ms. Marano prepared a joint Concord School Committee and Concord-Carlisle School Committee statement read by Mr. Herchek which addressed the civil rights complaint that alleged antisemitism within Concord schools. Both Chairs acknowledged the community's frustration, sadness, and reaffirmed the School Committee's commitment to provide a safe academic experience for all students. They pledged to review current policies, programming, training, and work with the community to combat antisemitism, both inside and outside of schools.

Ms. Marano added half of the committee members are new, which creates an opportunity to address acts of hate from new perspectives, though still require community-wide effort since most of a student's day is spent outside of school. She thanked the Select Board, Representative Cataldo, Chief of Police Thomas Mulcahy, District Attorneys Ryan and Tobin for participating in the meeting. Ms. Marano reminded attendees that most of the committee's work happens behind the scenes, and privacy laws protecting minors limits the information that can be publicly disclosed.

Mr. Howell addressed the community's concerns about antisemitic acts, hateful speech, and acknowledged the Select Board's commitment to being attentive and responsive to the issue. He stated the primary goal for the evening was to hear the community concerns, offer initial reactions, and continue the discussion at a future meeting.

Superintendent Update and Next Steps

Dr. Hunter shared a sincere apology for the pain caused by recent antisemitic incidents and acknowledged that communication about the incident had been challenging and limited. She affirmed the school's commitment to ensure all students feel safe and included, otherwise effective learning cannot happen. Dr. Hunter stated previous incidents were handled privately due to disciplinary and privacy laws, but the schools need a clear, more collective strategy. In response to the incidents, she contacted organizations the district has partnerships with including

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the ADL, the Lapin Foundation, the JCRC of Greater Boston, and local rabbis. She emphasized the importance of listening and understanding to better strategize to reach both students and adults. Dr. Hunter viewed the situation as a catalyst for a community-wide conversation and welcomed the opportunity to partner with everyone to find a solution.

Discussion on Antisemitic and Hate Incidents

Representative Simon Cataldo, member of the Massachusetts Special Commission on Combating Antisemitism, shared some of the Commission's findings and recommendations. The report revealed antisemitism is widespread and increasing statewide in schools; prior findings were underreported; there is a lack of centralized tracking; and victims fear retaliation for reporting incidents. As a result, Jewish and Israeli students and families have experienced mental health distress. The commission found anti-bias and DEI programs insufficiently cover antisemitism; educators lack training on identifying and addressing antisemitism; and Holocaust education didn't adhere to the 2021 Genocide Education Law. Rep. Cataldo shared the recommendations including integrating antisemitism into digital literacy education; implementing mandatory anti-bias and antisemitism training for school staff; train mental health personnel to support Jewish students; and ensure transparent reporting policies for hate incidents.

District Attorney Paige Tobin presented an overview of the Family Educational Rights and Privacy Act (FERPA) to address the community questions about sharing information. Ms. Tobin explained FERPA and Massachusetts student record regulations, controls how student records are collected, maintained, and distributed. The law requires school districts to protect the privacy and security of educational records and prohibit the disclosure of personally identifiable information without a parent's or eligible student's written consent. Ms. Tobin stressed even if a student or family publicly shares information from a student record, the school district is still legally barred sharing student records.

Concord Police Chief Thomas Mulcahy offered the police department's full support as community leaders. Chief Mulcahy stated the existing protocol for reporting incidents includes notifying the District Attorney's office, the human rights council, the Anti-Defamation League, and the Attorney General's office. Chief Mulcahy reiterated the department's commitment to collaborating with all community leaders.

Middlesex County District Attorney Marian Ryan distinguished between feeling safe and being safe, noting hate incidents comprise both aspects, even if they don't meet the legal definition of a hate crime. In the past four years, 160 hate crimes were prosecuted, but many hurtful incidents don't meet the legal standard for prosecution. The D.A.'s office has implemented an anonymous online reporting form for hate incidents on their website, middlesexda.com. and offers programs that clarify what constitutes a hate crime and how to respond to hateful acts.

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The District Attorney's office is proposing legislative amendments to address current loopholes, such as the property ownership requirement for hate crime charges; an amendment to mandate education programs for offenders; and the use of restorative justice to hold offenders accountable. Ms. Ryan concluded by reiterating the strong collaboration among local leaders and law enforcement as a promising path forward.

Public Comment

Parashar Patel described the events as shocking and disturbing and suggested a broad conversation about what the entire community, not just schools, can do. He praised the comments on the wider community's role, suggesting children may be hearing these harmful ideas from friends or at home. Mr. Patel asked for clarification on existing procedures for bullying incidents, specifically if the parents of the accused students are contacted.

Ed LeClair believes the entire community, including schools, churches, and the Select Board must be willing to be uncomfortable to solve the problem. Mr. LeClair feels discomfort is a necessary part of confronting both overt and subtle prejudice and he noted previous speakers did not use the words antisemitic or Jewish hatred. He requested everyone stop dancing around the issue and state clearly that students are being bullied because they are Jewish. Mr. LeClair expressed hope that community members would work together to resolve the issue.

Craig Awmiller advocated restorative justice as a necessary path forward for the community. Though the process might be uncomfortable for town leaders, he insisted the community has specific questions that deserve specific answers. Mr. Awmiller feels true restorative justice involves not only listening, but also accountability. He expressed skepticism about the sincerity of leadership that only listens within restrictive parameters, and he asked leaders to embrace and commit to the restorative justice process.

Melinda Coolish, mother of a senior and member of the Jewish community, shared her family's experience, which did not involve incidents from the formal complaint, but marked a sense of hopelessness and marginalization. In first grade, a bus driver organized a Christmas-themed activity that made her Jewish children feel excluded. Ms. Coolish explained her children felt they could not speak up for fear of being blamed for disrupting a beloved activity. She stated this pervasive passivity, and inaction creates a breeding ground for more severe incidents of antisemitism by signaling it's acceptable to leave out Jewish kids. Ms. Coolish shared the long-term impact, noting her children consider the percentage of Jewish students before applying to college, to not feel marginalized.

Jodi Sperber, eighth grade parent and member of the Jewish community, agreed on the impact of antisemitism on families. Ms. Sperber proposed three immediate actions: first, to explicitly name and acknowledge antisemitism; second, to provide a time-bound roadmap with specific steps for the next three to six months; and third, to clarify the distinction between antisemitism and

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political speech. She concluded by stating that this is not a political issue but one of safety, dignity, and belonging for Jewish students.

Mark Girolimetti expressed frustration that despite raising alarms for a year, the community is stuck in a cycle of repeating mistakes. Mr. Girolimetti shared his conversations with Jewish, Black, LGBTQ, and mixed-race families revealed experiences with bullying and exclusion that were identical, causing the same trauma. He stated the words inclusion and equity are meaningless without consequences for acts of hate and insisted the community stop tolerating a culture of hate and silence and take immediate, decisive action.

Deborah Dorfman, an attorney who represents children with disabilities and a member of the Jewish community, expressed her disappointment that antisemitic hate is still prevalent today. She urged town and school leaders to commit to making lasting changes, not just temporary fixes. Ms. Dorfman stressed the need for consistent follow-up and monitoring to ensure all measures are effective and meaningful. She concluded by stating that transparency is crucial for repairing the community's damaged trust.

Wilson Odoman, Concord-Carlisle High School senior, felt the school's initial response to antisemitism was inadequate and he recalled an email and assembly that addressed swastikas drawn in bathrooms, which gave the impression of an isolated incident. Mr. Odoman stated the response failed to acknowledge the deeper issue of widespread and persistent bullying, which included students forming Team Hitler and performing Sieg Heil gestures in the hallway. He asserted these were blatant acts of antisemitism and criticized the administration for its failure to take disciplinary action against known perpetrators. One victim was removed from a classroom as part of a safety plan while the perpetrators remained. Mr. Odoman proposed two key actions: first, immediate and proper application of existing disciplinary actions against the perpetrators; and second, the creation of a working committee of students, faculty, and community members to develop an action plan from the ground up, not top down.

Scott Smigler expressed concern the antisemitism students are experiencing are not isolated incidents but part of a systemic issue affecting all Jewish students. Mr. Smigler mentioned a school assembly where an adult challenged the data on antisemitism, leading to cheers from the student body. He asked school leaders to imagine being a Jewish student in that moment and he questioned why adults did to stop the dissent; are the concerns about staff behavior isolated or indicative of a wider pattern; are school leaders transparent about the depth of the issue; and what actions will be taken.

Brian Farber asked what the general protocol and sanctions for students who commit antisemitic hate? How many students have left the school in the past five years due to bullying? He requested a timeline for the collection of data on Jewish student sentiment and asked how the

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school would handle anti-Israel content approved by the MCAS. Mr. Farber asked what would happen if the teachers' union opposed mandated antisemitism training.

Jay Abelowitz, Concord resident, felt the response to antisemitism was inadequate. After October 7th, the district was slow to issue a statement of support for Jewish students, despite making prompt statements on other events. He emailed the Superintendent and the DEIB director, but only the Superintendent replied. Mr. Abelowitz criticized the DEIB department and its website that offers a single link to the ADL, despite Jews being the targets of 70% of religious hate crimes. He feels the Massachusetts Teachers Association spreads anti-Semitic, anti-Israel materials to educators, which seeps into the classroom. Mr. Abelowitz asked how many antisemitic incidents were reported last year, what actions were taken, and what support was provided.

Hope Rubin, Sawmill Road in Concord, a member of the Jewish community, expressed outrage at the news of pervasive antisemitism at the Concord Middle and High Schools. Ms. Rubin feels the lack of response failed students and allowed antisemitism and racism to go unchecked. Ms. Rubin requested four specific changes: first, a clear and unequivocal standalone statement from Dr. Hunter and each school committee member condemning antisemitism by name; second, for the Select Board to work with the Jewish community on a town proclamation against antisemitism; third, a detailed plan for the start of the 2025-2026 school year that clearly states the reporting mechanism and consequences for employees and students who engage in such behavior; and fourth, she asked for immediate reporting of all antisemitic and racist incidents to the police and the community.

Kim Frederick, 166 Main Street, and mother of a CCHS senior and a Concord Middle School seventh grader, both who are Jewish and African American asked her daughter about the recent antisemitism case. She responded by asking if they could address the fact she hears the N-word every day. Ms. Frederick expressed support for more reporting mechanisms, education, and restorative justice, which she believes can create teachable moments.

Michael Amster recalled a painful experience from 25-30 years ago when his 10-year-old son was told that Jews killed Christ, emphasizing that a child that age doesn't come up with such ideas on their own. He argued that education must extend to parents, and these efforts must begin in elementary school, not just high school.

Leela Jacobson, acknowledged communities are struggling with rising antisemitism but felt Concord's response was unacceptable. Ms. Jacobson requested the leadership admit mistakes and move forward with a purposeful course of healing and action. She echoed previous calls for a detailed plan, with clear and immediate consequences for hate, and for the establishment of a robust reporting mechanism. She stressed the need for mandatory, professional training for all faculty and staff to address both explicit and invisible bias.

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Pamela Dritt, Concord resident, suggested the community be provided transparent information about what happened, without revealing the identities of the students. Ms. Dritt spoke about the tribal nature of humans and the importance of not conflating criticism of Israel with antisemitism. She shared a lesson from her son's first-grade teacher. Using autumn leaves, she showed the students their initial groupings were not fixed, and they could find ways to be more inclusive, unifying aspects of humanity. Ms. Dritt concluded by suggesting this type of lesson could serve as a core curriculum for both adults and children.

Andrea Foncerada expressed concern over the report documenting recent incidents, many of which occurred in front of other students. Ms. Foncerada wondered, how did these other students respond in the moment? Were students intervening when they witnessed this behavior? Perhaps understanding reactions can help determine how pervasive the issue is and how students are experiencing the overall school climate, which is crucial for fostering meaningful and lasting cultural change.

Joint Board Reflection

Mark Howell acknowledged the community needs to move past being “just fine” and directly confront the problem of hate. Mr. Howell expressed a commitment from the Select Board to address the issue and focus on how to change community expectations for everyone to prevent such incidents from occurring.

Michael Williams thanked the public for providing clear direction and emphasized the need to act quickly and smartly. He was disturbed by the allegations in the complaint filed with the Department of Education's Office of Civil Rights. The incidents and sentiments shared by members of the Jewish community and others have deepened his personal distress. Since the complaint was made public, he has been reminded of the fear, anger, and helplessness one feels when targeted and under threat. He is relieved to stand with his colleagues and other municipal leaders to begin addressing the issue in the schools and community. He extended his hand to all who are hurt or feel threatened. The hateful actions and rhetoric of ableism, antisemitism, homophobia, transphobia, racism, and religious intolerance divide us all, and we cannot let it continue. This complaint and this moment are a gift because the urgency compels us to act. Mr. Williams committed to working with the committee, public leaders, faith leaders, and the community to bring about change.

Paul Boehm, a grandparent and member of the Kerem Shalom synagogue, spoke on behalf of Concord's Jewish community. He acknowledged the large online attendance and expressed his commitment to addressing hate incidents. Mr. Boehm asserted a lack of transparency has harmed the community, and while he appreciated signs of progress, he lamented it took an ADL complaint to shed light on the issue. He advocated for full transparency without breaching privacy, suggesting that anonymity could be maintained in reporting. Mr. Boehm applauded Dr.

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Hunter's initiative to update the school's incident data dashboard as a crucial step, believing it needs to be expanded town-wide to rebuild trust damaged by the April Swastika incident and the ADL complaint. He emphasized the necessity of improved school policies, procedures, and awareness training and called on the school committee to work collaboratively as a community to improve transparency, timely information flow, and overall communication.

Sandeep Pisharody emphasized there is no place for antisemitism in schools, viewing its condemnation as a moral imperative, not a political act. Mr. Pisharody stressed safety is fundamental to learning, and if Jewish students don't feel safe, they can't fully engage or grow. He supported addressing the specific complaint with care while also aiming to rebuild community confidence, strengthen policies, and restore trust through ongoing dialogue.

Mary Hartman underscored the moral imperative to condemn antisemitism in schools, stating it should not be considered a political act. She emphasized a sense of safety is fundamental to learning, and without it, Jewish students cannot fully engage or grow. Ms. Hartman stated discrimination is a town-wide problem, as children often mirror adult behavior and she urged the community to reflect on their own conduct. She called for the community to be hopeful but not naive, advocating for swift action to resolve issues.

Carrie Rankin emphasized the importance of listening, particularly to community members who have voiced their concerns online. She has had numerous conversations with people across the community and has thoroughly reviewed all public statements, press coverage, letters to the editor, and materials from organizations like the ADL. Describing the process as painful, Ms. Rankin asserted the incidents under investigation should not have occurred and offered a sincere apology to the affected families and students. Expressing a genuine belief that we can do better and that we must do better, she hoped the joint meeting would demonstrate a collective resolve to act and make real change.

Wendy Rovelli condemned all acts of hate and bias in the community. She expressed optimism, that there are many available best practices and resources that the community should leverage. Ms. Rovelli reminded the Select Board of their commitment to providing education and training for both staff and the wider community. She emphasized the need for broader outreach, suggesting that students in private schools and residents who frequent the library may need support. Expressing regret that the conversation was necessary, she concluded by affirming everyone is equally committed to addressing the issue in the most effective way.

Ayesha Lawton expressed her support for the Jewish community, condemning all forms of hate. Drawing from her personal experience as a victim of hate in Concord, she lamented that the community is still having this conversation. Ms. Lawton emphasized the need for 100% transparency and uniformity in how hate incidents are addressed, advocating for a swift, positive response. She called for open lines of communication and a strong working relationship with the

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Concord Police Department, urging a more aggressive approach, including pressing charges when necessary. She concluded this kind of behavior, which has been ongoing for over 20 years, needs to end.

Lynette Kelleher expressed sadness that the meeting was needed. Ms. Kelleher reaffirmed that Carlisle, its school committee and administrators, stand in support of Concord and are ready to work together. She emphasized the importance of unified training for students from both towns, who attend high school together, to ensure they become good students and citizens.

Adjournment

Chair Howell adjourned the meeting at 7:20 PM.

Meeting Materials:

[Select Board Meeting Recording for July 22, 2025](#)

DRAFT

**Town of Concord
Select Board
Minutes
August 18, 2025**

Pursuant to notice duly filed with the Town Clerk, the Concord Select Board held a joint meeting with the Land Use Working Group and MCI Concord Advisory Board at the Concord Municipal Light Plant, Public Meeting Room, 1175 Elm Street and via Zoom on Monday, August 18, 2025 at 4:00 PM.

Present for the Land Use Working Group were: Paul Boehm, Keith Bergman, Mary Hartman, Judith Long, Co-Chair, Mark Martines, and Sven Weber, Co-Chair. Also present was Kathy Cuocolo, Finance Committee observer.

Present for the MCI Concord Advisory Board were: John Boynton, Mark Howell, Dan Gainsboro, Co-Chair, Peter Lowitt, Patrick McCurdy, Co-Chair, Linda Miller, and Lee Smith. Also present was Sue Felshin, Planning Board observer.

Present for the Select Board were: Mark Howell, Chair, Wendy Rovelli, Clerk, Paul Boehm, and Mary Hartman

Also present were: Jessica Porter, Assistant Town Manager, Alan Cathcart, Director of Public Works, Russ Karlstad, Facilities Manager, Jon Straggas, Assistant Facilities Manager, Elizabeth Hughes, Town Planner, Delia Kaye, Natural Resources Director, Donna McIntosh, Communications Manager, Mimi Graney, Economic Vitality Manager, and Shannon McAndrew, Management Specialist

Approve Meeting Minutes

Mr. Boehm noted of an addition to the July 30, 2025 minutes to include a request for personnel data from the School District in addition to the Town.

Upon a motion duly made and seconded, it was UNANIMOUSLY **moved:** to approve the meeting minutes from July 30, 2025, August 8, 2025, and August 13, 2025.

Joint Meeting with the MCI Concord Advisory Board and Select Board

MCI Advisory Board Status and Scenarios:

- The MCI Advisory Board is working to coalesce around one of three scenarios or a hybrid of the scenarios by their next meeting on Tuesday, September 2, 2025 at 6:00 PM at Concord Municipal Light Plant, Public Meeting Room and via Zoom. These scenarios range from highlighting civic or municipal institutions or programs, to commercial, to mixed-using with a housing focus.
- The Working Group's role encompasses many municipal facility needs amongst many different municipal and nonmunicipal properties of interest, while the Advisory Board's role is specific to the MCI Concord property.
- The MCI Advisory Board seeks to make a recommendation that is net positive from a tax standpoint, based on guidance from the Select Board.

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Economic Feasibility and Remediation Costs:

- A major challenge for MCI Concord redevelopment is the demolition and remediation costs just to prepare the site. The assumption in the Agency Landscape + Planning Vision Plan Report is that a private developer would bear these costs.
- The inclusion of other uses beyond municipal use on the site is crucial for economic feasibility.

Timelines and External Factors:

- **MBTA Communities Zoning:** The Town must amend its MBTA Community Zoning by 2026 Annual Town Meeting to be in compliance, and Mr. Bergman feels that adding MCI Concord to this district feels like a strong option. Town Planner Elizabeth Hughes noted that the Planning Board will review four scenarios to address conditional compliance, but adding MCI Concord to the MBTA Overlay District has not been discussed due to potential community resistance and ongoing visioning at MCI Concord.
- **Next Steps for Zoning:** Department of Capital Asset Management and Maintenance (DCAMM) is urging the Town to move toward zoning the site, with a goal of 2026 Annual Town Meeting.
- **Wastewater Treatment Plant:** A decision on the WWTP is critical, with the negotiation period with DCAMM being active until August 2026. The WWTP is in poor condition and requires large capital investments for continued use.
- **Route 2 Redesign:** The MassDOT redesign of Route 2 Rotary could take up to five years for a final design, which makes planning difficult. The state has shared that we may have some insight on the rotary design within 6-9 months.

Junction Village Parcel:

- Owned by Concord Housing Development Corporation (CHDC), this parcel is contiguous with MCI Concord.
- CHDC paused its RFP process for Junction Village to see if it could be incorporated into MCI Concord redevelopment.
- The Advisory Board is considering negotiating with the State to relax the deed restriction that limits Junction Village to affordable housing, allowing units to be spread across the entire MCI Concord parcel. This could facilitate more flexible land use, including municipal functions like Public Works, as municipal uses are allowed in any zoning district.
- Access to Junction Village is currently limited to Winthrop Street, which is something to consider with the Route 2 Rotary redesign also.

De-Brief Site Tours

The Working Group de-briefed recent site tours of the Peabody School Building and 2229 Main Street, former NMI-Starmet site.

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Updated Work Plan and Data Needs

Data-Driven Decision Making:

- A key challenge is the lack of comprehensive master planning for municipal offices, public works, and public safety.
- The group needs to engage our Town staff to collect information on department needs and service gaps.
- A "Property Master List" with detailed information on each site has been developed, and the importance of data concordance (agreement on numbers across departments) was stressed.

Balancing Competing Goals:

- The tension between generating tax revenue (MCI Advisory Board's goal) and accommodating municipal needs (LUWG's goal) is evident.
- The concept of "must-have" municipal facilities versus "nice-to-have" was discussed.
- A rule of thumb: if renovation costs exceed 60% of new construction costs, it often makes financial sense to build new.
- The market will ultimately dictate what gets built, so engaging brokers and developers early for independent outside opinion is crucial.

Work Plan Structure:

- Divided into Phase 1 (needs assessment, inventory, shortlisting, recommendations) and Phase 2 (commercial development, housing, recreation, open space).
- Timeline: No changes to the overall year-long timeline, but wording has been refined.
- Subcommittees:
 - Public Safety: Meeting with Police and Fire Chiefs this week to understand needs. Benchmarking peer municipalities for facility conditions and planning approaches (e.g., central vs. satellite stations).
 - Consolidation of Municipal Offices: Inventorying available Town staff. Assessing possible consolidation sites and identifying vacated sites. Starting a needs assessment and developing metrics (cost, timing).
 - Public Works: Has not yet met. Linda Miller, filling the MCI Concord Advisory Board vacancy, will be joining this Subcommittee.
- Thinking about communication strategy being added to the work plan during future meetings.

Public Comment

There was no public comment.

Adjournment

The meeting adjourned at 5:53 PM.

Town of Concord
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Meeting Minutes
August 25, 2025

Approved 9/ /25

Pursuant to notice duly filed with the Town Clerk, the Concord Select Board convened in person on Monday, August 25, 2025 at the Concord Municipal Light Plant, 1175 Elm St. The meeting was available for public access in person and via Zoom.

Present were: Mark Howell, Chair, Wendy Rovelli, Clerk, Paul Boehm, Mary Hartman, and Cameron McKennitt

The meeting was called to order at 6:00 PM. Ms. Rovelli declared all were present.

Statement from the Select Board

Chair Howell reported that on August 25, 2025 an act of vandalism was reported to the Concord Police Department. An individual was seen on video on August 23rd intentionally kicking, stepping on and pulling up Israeli flags and two signs at the Memorial Display for the Victims of the October 7, 2023 Attack on Israel by Hamas. The Concord Police Department is investigating this act as a possible hate incident and has reported it to the Middlesex District Attorney's Office, the Anti-Defamation League, the Massachusetts State Police Hate Crimes Awareness and Response Team (CART), and the Concord Carlisle Human Rights Council. This follows a previous incident where graffiti was found on the town sidewalk in front of the same property on July 30, 2025. The Select Board condemns these acts in the strongest possible terms, reaffirming the town's commitment to working with our residents and community partners to address the root causes of antisemitism and racism in Concord. Residents with information are urged to contact the Concord Police Department at 978-318-3400.

Public Comment

Dennis Fiori, resident of 309 Strawberry Hill Rd., spoke on behalf of himself and several community members who signed a letter that was submitted to the Select Board. Mr. Fiori and the residents who signed the letter, advocated for preserving the area in Monument Square between the Parish Hall and the driveway of the public parking area (Parcel 1693) as green space. Additionally, these residents are in support of transforming Parcel 1693 into a quiet pocket park for contemplation with the inclusion of a memorial that commemorates the sacrifices of Concord residents who fought in the American Revolution.

Carrie Rankin, resident of 95 Upland Rd. and a School Committee member, speaking on behalf of the School Committee, spoke about the letter that was sent to the Select Board regarding the concerns that the School Committee has about the recent town-wide election. Ms. Rankin shared that the School Committee is concerned about the lack of accuracy and the tone and language used in the voter information packet. Further, the School Committee is interested in knowing who drafts, reviews and approves the information packet and inquired about what procedural steps will be taken

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to enhance accuracy and accountability in the future. Lastly, Ms. Rankin expressed the School Committee's continued support for the Amenities Building Project and notes that the Carlisle portion of the funds for this project expire on August 31, 2025.

Jeff Edgers, resident of 50 Highland St., advocated for a pocket park around the area of 1142 Main St. Mr. Edgers expressed that a pocket park would be a great opportunity to preserve trees in an area that has undergone significant tree removal and further, that a park would be beneficial to the community. Mr. Edgers wanted the Select Board to know that the neighborhood is open to partnering with the town to make a pocket park a reality.

Craig Awmiller, resident of 27 Lang St., asserted that free speech is as vital as accurate data in democracy. Mr. Awmiller shared that he voted in favor of the Amenities Building Project at both the town meeting and the ballot box and that he was not persuaded by the con statement in the voter packet. Mr. Awmiller referenced an incident at a prior School Committee meeting where he was encouraged to offer only constructive comments and went on to emphasize the need for more open dialogue and discussion rather than suppression of speech.

Joe Palumbo, resident of 90 Black Horse Place, and a member of the DEI Commission, commended the town staff and the Select Board for their excellent response to the recent incidents of hate and antisemitism, highlighting the quick response and communication to the public. Mr. Palumbo expressed concern about what he referred to as the "crisis in leadership" currently observed at the schools regarding antisemitism and urged the Select Board to continue to be a model of leadership.

Consent Agenda

- i. Minutes: August 8, August 11, 2025
- ii. Executive Session Minutes for Approval but **Not to be Released**: August 11, 2025
- iii. Town Accountant Warrants: August 7, 2025, August 14, 2025, August 21, 2025
- iv. Proclamation for Concord Carlisle Foundation Month
- v. One Day Liquor Licenses:
 - a. All Alcoholic Beverages for Tom Wilson of the Wright Tavern for a beer garden celebration to support Ag Day on Saturday September 6, 2025 from 11 AM -7 PM to be held at the Wright Tavern 2 Lexington Rd.
 - b. All Alcoholic Beverages for Julie Monagle of Friends of CC Girls Soccer – FOCCGS, 66 Sorli Way, Carlisle for a parent social at Nashoba Brooks Barn 2 Strawberry Hill Rd.
 - c. Wines & Malt Beverages Only for Jennifer Verrill of Verrill Farm for Trivia Night on Friday, August 29, 2025 from 6:00 PM to 8:00 PM at Verrill Farm, 11 Wheeler Road

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vi. Vote Proposed Amendments to Administrative Policy and Procedure #10

Upon a motion duly made by Ms. Rovelli and seconded, it was UNANIMOUSLY **voted:** to approve the Consent Agenda as described with the removal of the August 11, 2025 Executive Session meeting minutes.

Committee Appointments

- a. Wendy Rovelli, 42 Bow St. to the Financial Policy Working Group as a representative of the Select Board for a term to expire at the conclusion of the work outlined in the charge
- b. Lois Wasoff. 258 Sudbury Rd. to the Financial Policy Working Group as a representative of the Finance Committee for a term to expire at the conclusion of the work outlined in the charge
- c. Donald Kupka, 39 Devens St. to the Financial Policy Working Group as a representative of the Finance Committee for a term to expire at the conclusion of the work outlined in the charge
- d. Ryan Ferrara, Acting Chief Financial Officer, Town of Concord to the Financial Policy Working Group as a representative of the Finance Department for a term to expire at the conclusion of the work outlined in the charge.
- e. Brian Waterson of the Town of Carlisle reappointment to the Financial Audit Advisory Committee as the Concord-Carlisle Regional School Committee representative for a term to expire May 31, 2026
- f. Sandeep Pisharody of 236 Hayward Mill Rd to the Concord Middle School Building Committee as a Concord Public School Committee Representative.
- g. Linda Miller of 300 Main St. to the Land Use Working Group as the representative of the MCI Concord Advisory Board for a term to expire at the conclusion of the work outlined in the charge
- h. Sandeep Pisharody of 236 Hayward Mill Rd to the Financial Audit Advisory Committee as the Concord Public School Committee representative for a term to expire May 31, 2027

Mr. McKennitt requested to discuss the appointment of Linda Miller to the Land Use Working Group and asked if there was a vacancy for the MCI Concord Advisory Board's representative to the Land Use Working Group.

Chair Howell responded that Scott Bates, who was originally selected as the MCI Concord Advisory Board's representative to the Land Use Working Group resigned due to the time commitment, and that Ms. Miller was selected as the new representative.

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Upon a motion duly made by Ms. Rovelli and seconded, it was UNANIMOUSLY **voted:** to appoint: Wendy Rovelli, 42 Bow St. to the Financial Policy Working Group as a representative of the Select Board for a term to expire at the conclusion of the work outlined in the charge; Lois Wasoff, 258 Sudbury Rd. to the Financial Policy Working Group as a representative of the Finance Committee for a term to expire at the conclusion of the work outlined in the charge; Donald Kupka, 39 Devens St. to the Financial Policy Working Group as a representative of the Finance Committee for a term to expire at the conclusion of the work outlined in the charge; Ryan Ferrara, Acting Chief Financial Officer, Town of Concord to the Financial Policy Working Group as a representative of the Finance Department for a term to expire at the conclusion of the work outlined in the charge; Brian Waterson of the Town of Carlisle reappointment to the Financial Audit Advisory Committee as the Concord-Carlisle Regional School Committee representative for a term to expire May 31, 2026; Sandeep Pisharody of 236 Hayward Mill Rd to the Concord Middle School Building Committee as a Concord Public School Committee Representative; Linda Miller of 300 Main St. to the Land Use Working Group as the representative of the MCI Concord Advisory Board for a term to expire at the conclusion of the work outlined in the charge; Sandeep Pisharody of 236 Hayward Mill Rd to the Financial Audit Advisory Committee as the Concord Public School Committee representative for a term to expire May 31, 2027

Chairs Report

Chair Howell shared the following information:

- The Housing Roundtable will take place on August 26 at 5:00 PM.
- Ag Day is scheduled for September 6, 2025. The Select Board will have a table at this event and a sign up is being sent around to provide coverage. Chair Howell invited the community to visit the table.
- The Department of Capital Management for the State of MA has agreed to Concord's request to extend negotiations about the Wastewater Treatment Plant until August of 2026.
- Discussions are taking place in order to set a date for a Transportation and Roads Program Forum in September or October.

Town Manager's Report

Ms. Lafleur shared that the most recent edition of the [Concord Currents](#) was sent this afternoon. To subscribe to Concord Currents: go to Concordma.gov, Town Manager's page, Communication's tab, or by clicking [here](#). Ms. Lafleur shared that the number of subscribers to Concord Currents has doubled and she provided an overview of topics

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included in the most recent edition. Additionally, Ms. Lafleur informed the community that Concord Broadband service may be impacted between 4:30 AM to 6:30 AM on 8/26 due to maintenance.

Ms. Lafleur addressed topics raised by the Select Board:

- FY 2027 Budget Goals

Ms. Hartman inquired about dates to discuss the upcoming FY2027 budget and Ms. Lafleur responded with a tentative date of September 15, with the process continuing throughout the calendar year. Additionally, Ms. Lafleur added that the FY 2024 audit is coming to a close and will be scheduled as an agenda item for a Financial Audit Advisory Committee meeting. Regarding the FY 2025 budget, Ms. Lafleur is looking to close for September 30. Mr. Howell plans to add budget discussion as an agenda item to the upcoming meetings.

- Ballot Error

Mr. McKennitt brought forth the topic of the ballot error and Ms. Lafleur provided the following information: Town Counsel holds the final say on ballot information under Mass General Law. The error on the amenities building's financial impact likely stemmed from presenting the impact over a 10-year bond term rather than a typical one-year period. In response to Mr. Boehm's question, Ms. Lafleur provided an overview of the process that Town Counsel engages in to obtain the pro and con statements. The Select Board was not directly involved in drafting or reviewing the pro and con statements, receiving the information only hours before distribution. A suggestion was made by Mr. McKennitt and supported by Chair Howell, to implement a more reliable process for developing ballots and voter information packets that would allow for more checks, particularly for financial figures, in future elections.

Public Hearing for Grant of Location Request for gas main petition for the National Grid located at Cottage St. and 1200-1224 Main St.

Presenters: Mary Mulroney, Permit Representative for National Grid, Justin Richardson, Assistant Town Engineer (attended via Zoom)

Upon a motion duly made by Ms. Rovelli and seconded, it was **voted** 4-0, with Mr. McKennitt abstaining: to open the public hearing for a Grant of Location request for a gas main petition for National Grid located at Cottage St. And 1200-1224 Main St.

Ms. Rovelli opened public hearing at 6:39 PM.

Mr. McKennitt recused himself from the hearing at 6:39 PM.

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Ms. Mulroneu shared that National Grid will be replacing an old regulator station (which will be left in the ground) located near 7 Cottage St. with a new regulator station, with new safety features, that will be across the street from 1211 Main St. National Grid has reviewed a memo from Justin Richardson, Assistant Town Engineer and stated that all the conditions required by the Town of Concord were acceptable to National Grid. The full plans from National Grid and the memo from the Engineering Division is included in the Select Board meeting packet. The construction will take place between mid-September and mid- November with the Engineering Division and Police Department reviewing and updating a traffic plan and finalizing actual construction hours. Construction that is interrupted by the winter will resume in the spring. Ms. Hartman inquired about the involvement of the intersection of Baker Ave. and Main St., which needs redesign, due to safety concerns. Mr. Richardson stated that the Baker Ave. and Main St. redesign project is in its draft final design phase and that the Town will allow National Grid to complete their work prior to beginning the Baker Ave. and Main St. redesign project.

Kate Peltz, resident of 7 Cottage St., requested instruction on how to access the Select Board meeting documents and inquired if there will be a need for vents at the Cottage St. and Main St. Intersection. Ms. Mulroneu informed Ms. Peltz that the new regulator box should remediate the frequent leaks at Cottage and Main and that no vents will be needed at that location. Ms. Mulroneu also informed Ms. Peltz that it is unlikely that Cottage St. would be closed and that it is likely that there will be a “work around,” and that the conditions call for a temporary pedestrian walkway.

Pamela Dritt, resident of 13 Concord Green, made an inquiry regarding the redesign of the Baker Ave. and Main St. intersection. Mr. Richardson informed Ms. Dritt that a web page about this project will be launched in the next few days and can be located on the engineering page under current projects. Additionally, a meeting will be scheduled about this project where the community will have the opportunity to ask questions.

Stephen Irza, resident of 39 Cottage St., inquired about hours of operation for the National Grid construction project to which Mr. Richardson replied that the typical start time is 7:00 am, but that it can vary. The Concord Police Department will provide input.

Ellen Quackenbush, resident of 206 Prairie St. and member of the Transportation Advisory Committee encouraged the community to contact the TAC about any concerns that they have regarding pedestrian and bicycle safety.

Eric Young, resident of 49 Crescent St. requested additional presence from the Town or National Grid on Crescent St. during the road construction because often traffic is diverted to Crescent St. and with the length of the project, additional presence would be appreciated by the residents of Crescent St.

Upon a motion duly made by Ms. Rovelli and seconded, it was UNANIMOUSLY

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voted: to close the public hearing.

The public hearing was closed at 7:00 PM.

Upon a motion duly made by Ms. Rovelli and seconded, it was UNANIMOUSLY **voted:** to approve the Grant of Location request for a gas main petition for National Grid located at Cottage St. And 1200-1224 Main St as included in the meeting packet with the conditions provided by the Department of Public Works.

Mr. McKennitt returned to the meeting at 7:01 PM

Project Approval Request – Placement of up to 5 Teak Benches and Bike Rack as part of West Concord Beautification

Presenter: Mimi Graney, Economic Vitality Manager

Ms. Graney shared that following a well-advertised community walkabout and a virtual walk, locations for placement of the benches and a bike rack have been selected. The locations are as follows:

1. In front of West Village Tavern, 13 Commonwealth Ave. – Public property
2. Overlooking Nashoba Brook at Bruce Freeman Rail Trail (BFRT), 70 Beharrell St. – Private property
3. Beside Poetry Phone at BFRT, Beharrell St. – Public property
4. Reflections Plaza, 101 Commonwealth Ave. – Private property
5. Future Guitar Museum, 74 Commonwealth Ave. – Private property

The bike rack site is as follows:

Teacakes Plaza, 53 Commonwealth Ave. – Private property

Select Board approval is necessary for the two placements that are in the public right of way, however Ms. Graney is including all the placements to inform the Select Board.

Ms. Graney presented the program costs and site considerations, including license agreements with property owners and installation plans.

Upon a motion duly made by Ms. Rovelli and seconded, it was UNANIMOUSLY

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voted: to approve the placement of up to five teak benches and a bike rack as part of West Concord Beautification as included in the Select Board meeting packet.

**Discuss and Vote on Concord 250 Executive Committee Charge Amendments and
Discuss Permanent Memorial Subcommittee**

Presenter: Chris Johnson, Co-Chair of the Concord250 Executive Committee

With the Concord250 Patriots Day Parade having taken place on April 19, 2025, Mr. Johnson informed the Select Board that the Committee is recommending to reduce its members from 9 to 7, therefore making it easier to reach a quorum for meetings. Mr. Johnson continued by identifying the roles that would be covered by the 7-member committee.

Further, Mr. Johnson discussed the Permanent Memorial Subcommittee, which is recommending its own dissolution due to lack of time and funding, with the Executive Committee charge being active until December 31, 2026. Mr. Johnson noted that the Permanent Memorial Subcommittee is working on a final report which will be submitted to the Executive Committee, and then to the Select Board. Following an initial meeting that is scheduled with public safety personnel, the Executive Committee is also working on their complete final report which will highlight the lessons that were learned from the event. Mr. Johnson assured the Board that future events will be much smaller in scale than the 2025 parade and would not require a toll on town staff.

Upon a motion duly made by Ms. Rovelli and seconded, it was UNANIMOUSLY **voted:** to approve the Concord250 Executive Committee charge amendments as included in the Select Board meeting packet.

**Continued Discussion on Select Board Actions in Response to Antisemitic and
Hate Incidents**

Presenter: Mark Howell, Select Board Chair

Chair Howell provided an overview of the upcoming discussion, which would center on incident reporting and he informed the Select Board that District Attorney Ryan's office will be providing data on reported incidents in Concord over the last four years so that a baseline can be established.

Chair Howell provided clarification on some of the existing organizations where the public can report incidents, which are: The District Attorney's Office, the police

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Department and Concord Public Schools - and that all incidents reported to the police are then reported to the DA's Office.

Mr. Boehm advocated for broadening the view of what incidents should be reported.

Andrea Foncerrada, Co-Chair of the Diversity, Equity and Inclusion Commission reviewed the 2023-2024 DEI Commission Action Plan, though is incomplete at this time. The action plan calls for a reporting system that addresses incidents that are not crimes and are not under the jurisdiction of the public school.

Ms. Foncerrada named the members of the working group in 2023-2024 and reviewed the tasks that would be involved in further developing the action plan to implement a town-based reporting system. To implement a reporting system, Ms. Foncerrada felt that the following would be necessary: department and staff for intake of reports, legal review of the procedure, investigative resources, follow up and restorative actions.

The DEI Commission recommends utilizing the work that they have already done as a starting point to creating a reporting system.

Mr. Boehm stated that the purpose of a reporting system will need to be identified and communicated to the community, and he advocated for a reporting system that is simplified and accessible.

Ms. Hartman emphasized the importance of transparency in the ongoing work. Mr. McKennitt expressed concerns about the scope of what would be reported in an additional town-based system that is incremental to existing reporting systems. The Select Board members discussed the purpose of reporting, action, education, restorative justice, the goal of having a system, the need for a system that is not part of the public school reporting system, the gaps in reporting systems, the importance of responding to community members who report incidents, the purpose of raising awareness.

Chair Howell felt that the next steps would be publication of available data, developing a version of a form and potentially obtaining assistance from the Human Services Department and those that are existing mandated reporters.

Mr. Boehm and Ms. Hartman are in favor of a creating a small, transparent, appointed working group that can focus on moving forward on a reporting system and more broadly identifying actions to address bias and antisemitism, including how we address reporting. Mr. Boehm volunteered to start draft a working group charge for a review at the next meeting. He also referenced that the School Committee has a structure for an

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action plan and suggested that the Select Board coordinate with the schools to draft an action plan and policy.

Deborah Dorfman, resident of 27 Lang St., urged the members of the Select Board to review the Preliminary K- 12 Education Findings and Recommendations by the Special Commission on Combating Antisemitism publication, that she emailed to the Select Board prior to the meeting. In addition, Ms. Dorfman called to the attention of the Select Board that in 2024 Governor Healy issued guidance to school districts on reporting. Specifically, Ms. Dorfman references the section that addresses investigation and reporting. Ms. Dorfman encourages the Select Board to work together with the school department and impressed that any future working group should involve community members.

Ellen Quackenbush, a resident of 206 Prairie St, emphasized the importance of “stories” and people sharing their impressions, feelings and experiences as a basis of building a community and culture and that reporting is about repairing the culture not pointing a finger.

Discuss Comprehensive Results of Town Manager’s FY25 Evaluation

Presenter: Jess Porter, Assistant Town Manager and HR Director

Ms. Porter shared and presented the Town Manager Performance Review FY 2025. The review incorporated ratings and comments from current Select Board members and former board member Terry Ackerman. The review can be found in the Select Board meeting packet.

Ms. Rovelli pointed out that there were many challenges in FY 2025.

The Select Board will discuss a merit increase for the Town Manager in an upcoming Executive Session and will announce the increase at the following open session.

Ms. Lafleur responded to the FY’ 25 review, thanking the Select Board for their thoughtful input and shared that she values their feedback. Ms. Lafleur highlighted the achievements of the town in the past year, the suggestions made for areas of improvement, and her commitment to working collaboratively with the Select Board, community and town staff.

Select Board Liaison Reports

Ms. Hartman

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- (8/12) The Community Preservation Committee is actively looking at projects already funded to see if there are unused funds that can be re-directed to new projects, including the ~\$750K allocated to Warner's Pond dredging. It is the understanding of the CPC that pulling back funds does not require a vote at Town Meeting. However, allocation to new projects does require a vote.
- (8/6 & 8/13) Tours of Municipal Sites: Ms. Hartman took a guided tour of the Town House, Assessor's Office, Council on Aging and 55 Church St. as part of data collection for the Land Use Working Group Sub-Committee for Consolidation of Municipal Buildings. In general, staff make the best with the space available yet many of these buildings were not designed for the function they currently serve. Paper and file boxes seem to be an issue, especially in the Town House. What became apparent is that residents often need to navigate several sites across town to get the services they want.
- (8/13) Agriculture Committee: Prep for Ag Day (Saturday, Sept 6, 10:00 – 2:00) and began a discussion of how to make the town aware of the housing issues farmers and their staff face in Concord and how these housing issues threaten the continuity of our farms.
- (8/13) Human Rights Council Bystander Training: Ms. Hartman participated in this training to become more aware of how to respond helpfully to situations when someone is the target of discrimination.
- (8/14) Tour of Packard Commons Affordable Housing Development in Hudson MA: Mass Housing Partnership hosted a tour for the Concord housing community of a 40-unit rental affordable housing complex recently completed. The tour included great information on how to obtain funding from federal and state sources that greatly exceed any local contribution.
- (8/20) Economic Vitality Committee: Ms. Hartman had a very productive meeting where tentative plans were developed for two "roundtable" forums for the business community. Another discussion was to get input from the business community regarding the Governor's Municipal Affordable Act that gives towns the option to increase meals and lodging tax (if adopted, will increase local receipts by ~\$150K). If there is support from the business community, the Select Board may send a letter to the MA State House in support.
- (8/20) School Committee: The Regional School Committee voted unanimously to support the addition of a Dryland Diving Room to the Beede Center in memory of Maisey O'Donnell. This requires the School Committee approval since the Beede Center is located on land owned by the Concord-Carlisle School District. Fundraising is underway and is expected to cover the entire build cost and establish an endowment to cover ongoing maintenance. Next step is to come to the Select Board for final approval.
- There will be a draft letter coming from the Select Board, that will be presented for discussion at the 9/8 Select Board meeting; the letter is in support of the Real Estate Transfer Fee to help with funding for affordable housing. This letter serves as a reminder for an action that has already been taken by the Select Board. A

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second letter may also be coming from the Select Board regarding the Municipal Empowerment Act.

Mr. McKennitt

- Will be at the Light Plant tomorrow morning continuing discussing rates and time of use.

Chair Howell

- The Middle School Building Committee met last week where the middle school punch list was discussed; including repouring of the sidewalk in front of school due to damage from salt, progress has been made on field construction, the irrigation system is being incorporated into the field construction. The project is nearing completion.

Ms. Rovelli

- Zoning Board of Appeals (8/14) The board will be revising the committee charge but voted to retain the current 3 full member and 3 associate member structure.
- Council on Aging (8/19) A new van is expected to be delivered and available soon. The committee had a broad discussion on needs of seniors. The priorities include: Transportation needs are a top priority as the COA is unable to meet demand based on vans and hours of coverage. Volunteers do provide additional coverage for Drs. appts (20/month). Emerson Hospital can provide vouchers for transportation home. Housing/affordability – COA assists with tax relief applications. Very few elderly people can afford rent in Concord. Support for seniors wanting to remain in their homes: funding would be beneficial to support safety assessments, installing grab bars, wearable devices, lock boxes (to support public safety access).
- Tax Relief Evaluation TF (8/19) The group further refined a townwide survey to residents (7800 households). A postcard with QR code for online survey completion is expected to be distributed in early October, along with promotion via Bridge and committee meetings. The board is actively looking for landlords to interview regarding tax relief options and related tracking/management of affordable units.

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- Climate Action Committee (8/20) Will be held in the afternoon of Sunday, Sept. 21st at First Parish Church to celebrate and promote renewable energy. Activities will include games, art projects, and testimonials. Committee comments were integrated into an updated RFP to support updates to the Climate Action and Resilience Plan. The RFP is expected to be issued in Sept with a target submission date of October 10th, with interviews and final awarding of the contract by end of October.

Mr. Boehm

- At the most recent DEI Commission meeting, a new Co-Chair was selected. The Commission has drafted a new charge, is seeking feedback on the draft and is hoping to have the updated charge approved by the Select Board at the October 6 Select Board meeting. The DEI Commission is working on changing the date of the September 24 meeting in observance of Rosh Hashanah. Mr. Boehm has encouraged the DEI Commission to hold their meetings in a hybrid format.
- The Transportation Advisory Committee met, where they discussed a bicycle safety flyer, this flyer will be circulated widely. The TAC also discussed methods of communication and collaboration with Concord Public Works and several town departments and committees. The Committee is also developing an updated charge.

Executive Session under M.G.L. c. 30A, § 21(a)(6)

Upon a motion duly made by Ms. Rovelli and seconded, it was UNANIMOUSLY **voted:** to enter an Executive Session under M.G.L. c. 30A, § 21(a)(6) to consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body *and not to return to Open Session*

Roll Call Vote:

Mr. Boehm – Aye
Ms. Hartman – Aye
Mr. Howell – Aye
Mr. McKennitt – Aye
Mr. Rovelli – Aye

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The Select Board entered into Executive Session at 8:22 PM.

Meeting Materials:

[Select Board Meeting Packet – August 25, 2025](#)

[Select Board Meeting Recording – August 25, 2025](#)

**Select Board Meeting Minutes
Concord Housing Roundtable
August 26, 2025
5:00 PM**

Joint meeting of the Select Board, Planning Board, Concord Housing Authority, Concord Housing Development Corporation, Concord Housing Foundation, Concord Municipal Affordable Housing Trust, and Community Preservation Committee.

Roll Call: The meeting was opened by Regional Housing Services Director Liz Rust at 5:00 pm, outlining as the meeting objective: updates on implementing the Housing Production Plan, and related initiatives. The chairs of several committees called their meetings to order, determining whether a quorum was present.

For the Concord Municipal Affordable Housing Trust, chair Keith Bergman called the Trust's meeting to order at 5:02 pm with a roll call of members present: Mary Hartman, Mike Lawson, Rich Feeley, Linda Escobedo, Kerry Lafleur, Matt Johnson, and Keith Bergman.

For the Concord Housing Development Corporation, chair Julie McClure called the CHDC's meeting to order at 5:04 pm with a roll call of members present: Julie McClure, Lee Smith, Ray Andrews.

For the Select Board, chair Mark Howell called the Select Board's meeting to order at 5:06 pm with a roll call of members present: Mark Howell, Mary Hartman, Wendy Rovelli, Paul Boehm.

For the Concord Housing Authority, chair Stephan Bader called the CHA's meeting to order at 5:08 pm with a roll call of members present: Stephan Bader, Rick Eifler, Bernice Fousek, Stephanie Chrobek.

For the Concord Housing Foundation, chair Rich Feeley welcomed the CHF's members present, including: Rich Feeley, Moira Walsh, Steve Carr, Matt Johnson.

No quorum was present for the Planning Board and the Community Preservation Committee.

The meeting started with a presentation from the CMAHT.

Concord Municipal Affordable Housing Trust: CMAHT chair Keith Bergman presented a slide show, distributed prior to the Roundtable, which is attached to these minutes. He welcomed the seven boards back to the Concord Housing Roundtable and thanked all for their leadership.

Concord's Subsidized Housing Inventory is officially 13.34%, as certified on August 7th by EOHLIC. The S.H.I. had fallen to 9.97% in 2023, when the most recent US Census kicked in, opening the door to two 40B's with 438 total rental units of which 111 will be affordable at 80% of AMI. NOVO was approved last year; Residences at Thoreau this year. Together, the two briefly brought the S.H.I. to 16.12%, but only days later it fell to 13.32% when NOVO didn't pull its building permit within 1 year. 2 Assabet rentals in May brought us to our current figure.

The Trust has received a total of \$5,989,342 since 2019. Columns in Slide 7 show the sources of our funding: \$500,000 from Town ARPA funds; \$3,205,086 from general fund appropriations,

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August 26, 2025
5:00 PM

earned interest income, and other receipts; and \$2,284,256 from community preservation. The Trust's current total uncommitted fund balance is \$2,822,937 to continue our work.

For the future, the Trust is bullish on two once-in-a-generation initiatives the Select Board has launched with the MCI Concord Advisory Board and the Land Use Working Group, which will help identify where multi-family housing gets built in Concord. The Select Board's goals for FY 2026 adopted last month include two references housing: (1) to support implementation of the Housing Production Plan by identifying parcels and securing financial support; and (2) to examine the impact of affordable housing and other development on town budgets and taxes. Other Select Board goals advance MCI Concord and the Land Use initiatives. Mindful of these opportunities, and working with Mass. Housing Partnership this year, the Trust has refreshed its mission, goals, and strategies to be able to better use its limited local funds to leverage outside investment. Included is an aspirational goal for 10% of Concord's housing stock to be deed restricted as "affordable." With whatever housing is produced at MCI Concord or elsewhere, some should be affordable. That will take zoning, as well as funding.

When NOVO does pull its building permit, our S.H.I. will be 16.14%. But only 7.24% of our total housing stock would then be affordable. The 519 units shown in Slide 13 include 46 at levels between 100% and 150% which already exist but which don't count on the S.H.I. We'd need some 200 more unit to be able to say 10% of Concord's housing stock is affordable.

The Town continues to carry out the 2019 Town Meeting's vision for how to fund the Trust, by pursuing State legislation which might raise \$2-million per year. So please mark your calendars for Tuesday, September 9th at 10 am when the Joint Committee on Revenue will conduct its hearing on transfer fees like Concord's home rule petition (H.3043) and the LOHA Coalition's statewide local option bill (H.3056 / S.1937). The Concord Housing Authority voted to support on August 21; and the Concord Housing Development Corporation will so on September 9. After discussion, Mary Hartman made a motion that the Trust vote to support H.3043 and H.3056 / S.1937; seconded by Mike Lawson; and approved by unanimous vote (7-0) [CMAHT's letter sent to Joint Committee on Revenue is attached to these minutes]. In the meantime, the Trust will continue to seek Community Preservation Act funding, with a goal of applying for at least 25% of whatever CPC has available. For this upcoming round, CPC says it has a total of \$3,141,998 in unrestricted funds which could be spent at April 2026 Annual Town Meeting. 25% of that total is \$785,500. That \$3.14-million total consists of an estimated \$1.8-million in new CPA revenues plus \$1,341,998 in unrestricted budgeted reserves, not including historic and open space reserves for which we're not eligible. The Trust will vote at its meeting on September 11, 2025 to submit the application and determine the amount requested.

In response to a question about the status of NOVO Riverside Commons 40B, Town of Concord Director of Community Development Alyssa Sandoval reported that the NOVO still working towards obtaining a building permit, which would return NOVO's 201 units to the Subsidized Housing Inventory. Town Planner Elizabeth Hughes added that NOVO first needs to demolish the Welch's building and create parking before proceeding with the 40B. The Zoning Board of Appeals' April 2024 decision approving the 40B requires the project begin construction within three years. Concord Housing Foundation member Moira Walsh raised concerns about the

**Select Board Meeting Minutes
Concord Housing Roundtable
August 26, 2025
5:00 PM**

increasing difficulty of building affordable housing and suggested exploring alternative approaches, leading to a discussion about zoning strategies and attainable housing options. CMAHT members Matt Johnson and Mary Hartman shared insights from recent development tours, highlighting promising alternatives for lower-income housing and the potential for increased federal and state government funding for more attainable housing projects.

Concord Housing Development Corporation: CHDC chair Julie McClure reported on the Assabet River Homes project, which is making progress with construction preparation and is expected to have its first home occupied by spring. Liz Rust mentioned that the CHDC voted to approve the LIP application, with the next step being select board approval.

Town Update: Alyssa Sandoval provided updates on the 91B Main Street project, including MassDOT's letter documenting the sale price of \$600,000. The group discussed potentially changing the income level threshold for the project from 120% to 100% to be eligible for CPA funds, with concerns raised about flexibility and federal government requirements. Updates were also given on the MCI project, including the completion of a vision document and ongoing wastewater treatment capacity analysis. Keith Bergman said the Land Use Working Group would not be reaching housing and commercial development until Phase 2 of its charge.

Regional Housing Services Office: The group discussed the recent HPP informational update, which Liz Rust presented. The group also discussed whether to pursue a formal update to the Housing Production Plan, which will expire in December 2027. CMAHT member Matt Johnson and Select Board chair Mark Howell expressed concerns about the value and cost of a full update given the current planning efforts. The group discussed how ongoing planning work could serve as input for the next HPP iteration. Mark emphasized the need to bring current projects to a conclusion.

Planning Board: Town Planner Elizabeth Hughes reviewed topics in the Planning Board's July 29, 2025 memo goals and projects, distributed prior to the meeting and attached to these minutes. Included was an update to the MBTA communities overlay district to address EOHLC's June 12, 2025 conditional compliance letter (attached to these minutes); changes to the Accessory Dwelling Unit (ADU) bylaw to align with state regulations; and revisions to the Personal Wireless Communication Facility overlay district. The Board will also work on amending the combined business/residential bylaw, updating lighting requirements, and addressing housekeeping changes to the zoning bylaw. Matt Johnson raised the possibility of incorporating 26 acres of the recently conveyed DCAMM property into the MBTA overlay district to improve contiguity, though Elizabeth noted this wasn't currently under discussion by the Board.

Concord Housing Authority: CHA chair Stephan Bader and member Rick Eifler reported on progress on multiple capital projects, including air source heat pumps at Everett Street and septic system replacement at Strawberry Hill Road, both receiving state funding. They also discussed federal funding reductions affecting housing vouchers. Rick suggested CHA apply for CPC funding for sprinklers at Everett Gardens, estimated at around \$300,000.

Concord Housing Foundation: CHF president Rich Feeley discussed the State House hearing on September 9th for transfer fee bills and discussed grant programs for affordable housing.

**Select Board Meeting Minutes
Concord Housing Roundtable
August 26, 2025
5:00 PM**

Community Preservation Committee: CPC chair Eve Isenberg reminded attendees of CPC's upcoming meeting on September 16th meeting and FY 2027 CPA funding application deadline of Friday, September 19, 2025 at noon.

Adjournment. Liz Rust adjourned the joint meetings at 6:33 pm.

**Town of Concord
Select Board
Minutes
September 5, 2025**

Pursuant to notice duly filed with the Town Clerk, the Concord Select Board scheduled a site visit on Friday, September 5, 2025 at 12:30 PM at the Ripley School Building, 120 Meriam Road.

Present were: Paul Boehm, Mary Hartman, and Wendy Rovelli, Clerk

Also present were: Megan Zammuto, Deputy Town Manager, Alan Cathcart, Director of Public Works, Russ Karlstad, Facilities Manager, Shannon McAndrew, Management Specialist, and Superintendent Dr. Laurie Hunter and Bob Conry of Concord Public Schools

Site Visit of Ripley School Building

The site visit of Ripley School Building began at 12:30 PM. Dr. Hunter led the site visit. There was no deliberation of the Select Board.

The site visit concluded at 1:30 PM.

Albert E. Bessette
Right of Way Manager



365 State Street
Springfield, MA 01105

Phone 413 787-0310
Cell 413 441-3612
Fax 413 734-9123
albert.e.Bessette.jr@verizon.com

September 4, 2025

Concord Select Board
P.O. Box 535
Concord, MA 01742

**RE: Petition for Verizon job # 1A7W4VC
Old Marlboro Road, Concord, MA**

Dear Honorable Select Board Members:

Enclosed find the following items in support of the above-referenced project:

1. Petition;
2. Petition Plan;
3. Order.

A Public Hearing and notice to abutters is required. A Verizon representative will attend the Public Hearing. Should any questions or comments arise concerning this matter prior to the hearing, please contact me at 413-787-0310. Your assistance is greatly appreciated.

Sincerely,

Albert E. Bessette, Jr.

Albert E. Bessette, Jr.
Right of Way Manager

Enc

**133 Keyes Road
Concord, MA 01742**



DATE: 08/29/2025

MEMORANDUM

**TO: Shannon McAndrew, Management Specialist
Kristin Reichman, Executive Assistant to the Select Board**

VIA: Alan Cathcart, Director of Public Works

FROM: Stephen Dookran, PE, Town Engineer

PREPARED BY: Justin Richardson, PE, Assistant Town Engineer

SUBJECT: Petition for removal of existing utility pole and installation of new utility pole adjacent to 406 Old Marlboro Road.

This memorandum is to provide comments to the Select Board regarding a Pole Petition for Old Marlboro Road from Verizon New England Inc. and Concord Municipal Light Plant (CMLP). The applicants propose to: Relocate one (1) jointly owned pole numbered T.36 / E.36 to a point on the west side of Old Marlboro Road approximately one hundred fifteen (115) feet northerly from the centerline of Upland Road; and approximately ninety-five (95) feet northerly from existing pole numbered T.37 / E.37; and approximately twenty-seven (27) feet southerly from the pole's current location. Concord Public Works (CPW) Engineering Division has reviewed the Grant of Location petition dated April 8, 2025, and has no objection to the approval of the petition subject to the following conditions.

1. Prior to construction, the applicants must complete a site visit with CPW to review work to be completed. CPW shall be notified at least 24 hours prior to the start of construction.
2. The applicants must remove any infrastructure including the existing utility poles deemed obsolete within 30 days of the installation of the new infrastructure. In the area where the existing pole is removed the applicant shall back fill the hole with MassDOT M1.03.1 Processed Gravel and compact it in 6-inch lifts.
3. As-built plans must be provided to the CPW Engineering Division prior to the final closeout of the project.
4. The applicants will remove and/or replace the utility pole and appurtenances upon completion of its service life.
5. The existing and proposed utility poles are immediately adjacent to an existing sidewalk. If any damage to the sidewalk occurs as a result of this construction, the sidewalk shall be restored per Concord Public Works Design and Construction Standards.
6. Any appurtenance attached to the proposed utility pole shall be located at a minimum of 7 feet high to not cause a hazard to sidewalk users.

7. A Right-of-Way (ROW) permit application shall be submitted to CPW with stamped constructions plans. No work shall commence until CPW has completed its review and provides ROW Permit approval to the applicant(s).
8. A traffic management plan shall be submitted to the Concord Police Department Traffic Safety Officer, Concord Fire Department, and the CPW Engineering Division for approval. This should include sidewalk closures and alternative pedestrian routes around the construction.
9. The applicants shall notify emergency services, the school district, the post office, and CPW solid waste for trash pickup services via email one week prior to the start of construction. The applicant shall also notify neighborhood residents with door hangers prior to the start of construction.
10. The applicants and its contractor, if applicable, shall adhere to the CPW Construction and Tree Protection Standard Operating Procedures including the protection of public shade trees: “No person may plant, trim, cut, or remove a public shade tree without the prior permission of the Tree Warden and Engineering Division. This control includes the cutting of roots during construction.” The contractor shall be responsible for installing wooden tree guards with orange snow fencing on public shade trees located within the work zone.

PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

Concord, Massachusetts, April 8, 2025
To the Select Board of the Town of Concord, Massachusetts

**VERIZON NEW ENGLAND INC. and
CONCORD MUNICIPAL LIGHT PLANT**

Request permission to locate poles, wires, cables and fixtures including the necessary anchors, guys and other such sustaining and protecting fixtures to be owned and used in common by your petitioners, along and across the following public way or ways:

OLD MARLBORO ROAD: Relocate one (1) jointly owned pole numbered T.36 / E.36 to a point on the west side of Old Marlboro Road point approximately one hundred fifteen (115) feet northerly from the centerline of Upland Road; and approximately ninety-five (95) feet northerly from existing pole numbered T.37 / E.37; and approximately twenty-seven (27) feet southerly from the pole’s current location.

Reason: Concord Housing Development Corporation is building two homes at 406 Old Marlboro Road, and the current pole is located where the driveway is intended; and to provide for the distribution of intelligence and telecommunications and the transmission of high and low voltage electric current.

Wherefore your petitioners pray that after due notice and hearing as provided by law, they be granted locations for and permission to erect and maintain poles, wires and cables, together with anchors, guys and other such sustaining and protecting fixtures as they may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked-VZ N.E. Inc. Plan No. **1A7W4VC** Dated **April 8, 2025.**

Also, for permission to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as said petitioners may desire for distributing purposes.

Your petitioners agree to reserve space for one cross arm at a suitable point on each of said poles for the fire and police telephone signal wires belonging to the municipality and used by it exclusively for municipal purposes.

VERIZON NEW ENGLAND INC.

By: Albert E. Bessette, Jr.
Albert E. Bessette, Right of Way Manager

CONCORD MUNICIPAL LIGHT PLANT

By _____,
Right of Way Representative



PETITION PLAN

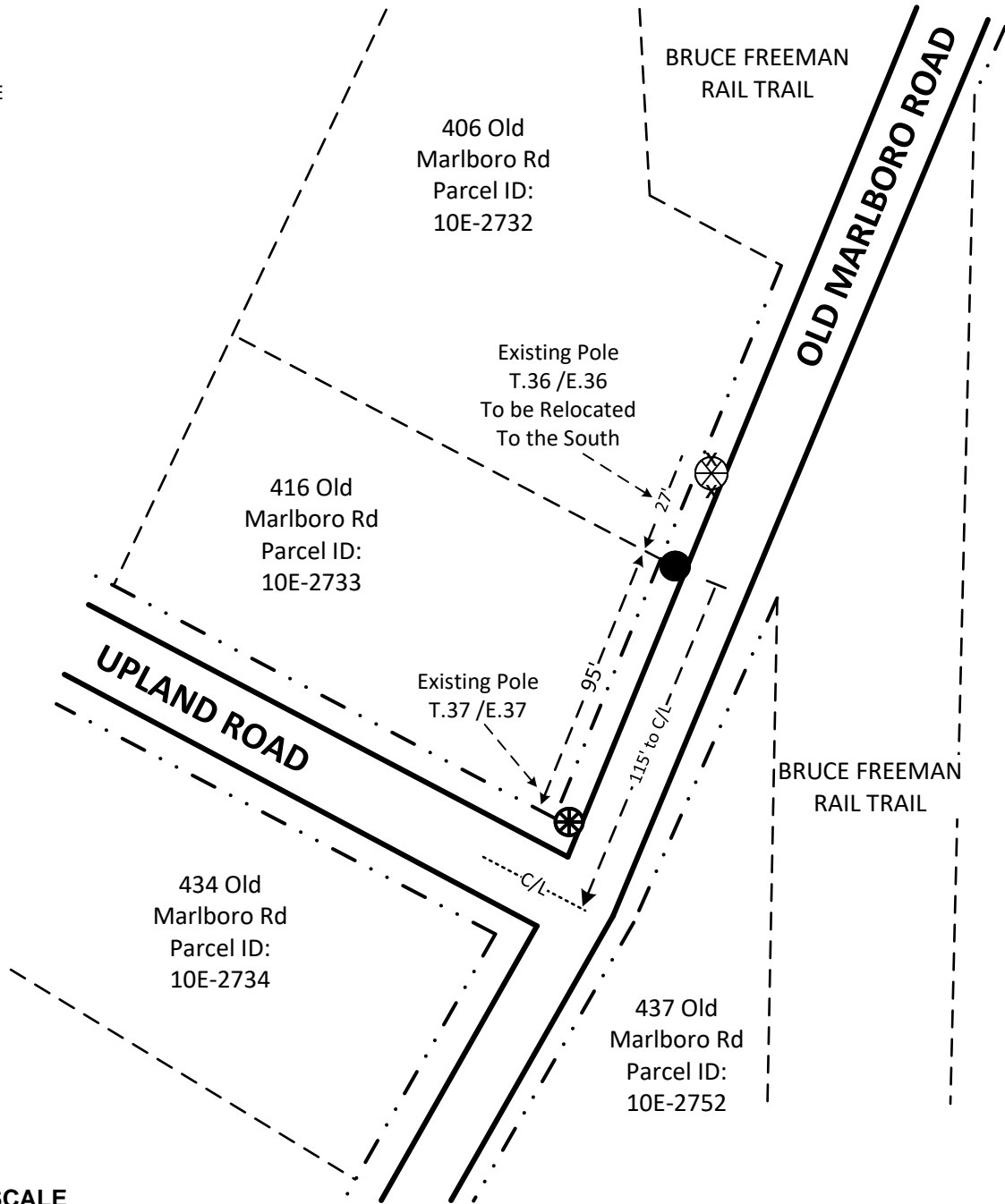
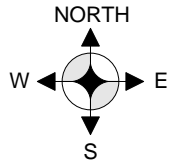
MUNICIPALITY CONCORD

NO. 1A7W4VC

VERIZON NEW ENGLAND INC. & CONCORD MUNICIPAL LIGHT PLANT

DATE : APRIL 8, 2025

SHOWING PROPOSED POLE RELOCATION ON OLD MARLBORO ROAD



NOT TO SCALE

LEGEND

- PROPERTY LINE
- EDGE OF PAVEMENT
- . . - . EDGE OF ROADWAY
- C/L----- CENTERLINE OF ROADWAY

- EXISTING JOINTLY OWNED POLE
- PROPOSED JOINTLY OWNED POLE WITH ANCHOR
- EXISTING JOINTLY OWNED POLE TO BE REMOVED

ORDER FOR JOINT OR IDENTICAL POLE LOCATION

By the Select Board of the Town of Concord, Massachusetts Notice having been given and a public hearing held, as provided by law, **IT IS HEREBY ORDERED that**

VERIZON NEW ENGLAND INC. and CONCORD MUNICIPAL LIGHT PLANT

be and are hereby granted locations for and permission to erect and maintain poles and their respective wires and cables to be placed thereon, together with anchors, guys and other such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to as requested in petition of said Companies dated the 8th day of April 2025.

All construction under this order shall be in accordance with the following conditions:

Poles shall be of sound timber, and reasonably straight and shall be set substantially at the points indicated upon the plan marked - Verizon No. **1A7W4VC**, dated April 8, 2025, filed with said petition. There may be attached to said poles by said **VERIZON NEW ENGLAND INC. and CONCORD MUNICIPAL LIGHT PLANT** wires and cables which shall be placed at a height of not less than 18 feet from the ground at highway crossings, and not less than 8 feet from the ground elsewhere.

The following are the public ways or parts of ways along which the poles above referred to may be erected, and the number of poles, which may be erected thereon under this order:

OLD MARLBORO ROAD: Relocate one (1) jointly owned pole numbered T.36 / E.36 to a point on the west side of Old Marlboro Road approximately one hundred fifteen (115) feet northerly from the centerline of Upland Road; and approximately ninety-five (95) feet northerly from existing pole numbered T.37 / E.37; and approximately twenty-seven (27) feet southerly from the pole's current location.

Reason: Concord Housing Development Corporation is building two homes at 406 Old Marlboro Road, and the current pole is located where the driveway is intended; and to provide for the distribution of intelligence and telecommunications and the transmission of high and low voltage electric current.

Also, that permission be and hereby is granted to said Companies to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the Select Board of the Town of Concord, Massachusetts held on the _____ day of _____ 2025.

Town Clerk

I hereby certify that on _____ 2025, at _____ o'clock, _____ M., at _____ a public hearing was held on the petition of

**VERIZON NEW ENGLAND INC. and
CONCORD MUNICIPAL LIGHT PLANT**

for permission to erect the poles, wires, cables, fixtures and connections described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Companies are permitted to erect poles, wires, cables, fixtures and connections under said order.

And that there upon said order was duly adopted.

The Select Board of the Town of Concord, Massachusetts
By:

Town Clerk

CERTIFICATE

I hereby certify that the foregoing is a true copy of a joint location order and certificate of hearing with notice adopted by the Select Board, Town of Concord, Massachusetts on the ____ day of _____ 2025, and recorded with the records of location orders of said Town, Book _____, Page _____. This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:

Town Clerk

TOWN OF CONCORD
SELECT BOARD
PUBLIC HEARING NOTICE

Notice is hereby given that a Public Hearing will be held at the Town House, Select Board Meeting Room, 22 Monument Sq., Concord, MA on Monday, September 15, 2025 at 6:00 PM, upon the petition of Verizon to request your consent to the pole locations as hereinafter described for the granted location of **Old Marlboro Road** and permission to erect and maintain poles and their respective wires and cables to be placed thereon, together with anchors, guys and other such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways.

The following are the public ways or parts of ways along which the poles above referred to may be erected, and the number of poles, which may be erected thereon under this order:

OLD MARLBORO ROAD: Relocate one (1) jointly owned pole numbered T.36 / E.36 to a point on the west side of Old Marlboro Road approximately one hundred fifteen (115) feet northerly from the centerline of Upland Road; and approximately ninety-five (95) feet northerly from existing pole numbered T.37 / E.37; and approximately twenty-seven (27) feet southerly from the pole's current location.

Reason: Concord Housing Development Corporation is building two homes at 406 Old Marlboro Road, and the current pole is located where the driveway is intended; and to provide for the distribution of intelligence and telecommunications and the transmission of high and low voltage electric current.

The petition was filed with the Select Board on September 5, 2025. **Please review the Select Board meeting agenda at www.concordma.gov to confirm the meeting location and the exact timing of the Hearing.** Questions on this matter should be directed to **Albert E. Bessette, Jr. at albert.e.bessette.jr@verizon.com.**

By Order of the Select Board

Wendy Rovelli, Clerk



TOWN OF CONCORD
Division of Natural Resources
141 Keyes Road, Concord, MA 01742
(978) 318-3285

To: Select Board
From: Delia Kaye, Natural Resources Director *Delia Kaye*
Re: BFRT Bench Donation
Date: September 9, 2025

In accordance with MGL Chapter 44, Section 53A and APP #19, the Select Board's approval is required for gifts in the amount of \$500 or more.

The Concord Runners and the Friends of the Bruce Freeman Rail Trail (FBRFT) have generously donated \$2,230 for the purchase and installation of a bench in memory of Robert "Bob" Hall, a longtime leader of the Concord Runners and former board member of the FBRFT.

The bench proposed for installation is a Kingsley-Bate Dunbarton bench, a teak 5-foot bench similar to others recently installed in town. The cost for the bench is \$980, and the cost for installation is \$1,250. The bench will be installed approximately 400 feet south of the handicap parking space at Williams Road.

The Bruce Freeman Rail Trail has a dedicated handicap parking spot at Williams Road. However there are no benches on the rail trail south for over a mile. Thus a person with limited mobility has no place to rest in order to enjoy the trail in this section.

In response to my request, Alyssa Sandoval and Delia Kaye have identified two locations near Williams Road that would be suitable for installation of a bench. They are on the east side of the trail and were marked with red flags. Concord Public Works has confirmed that these sites are suitable for a bench.

Funding for the benches is available from two sources. The Concord Runners would fund one bench in memory of Bob Hall, who was a long time leader of the group as well as a member of the Board of the Friends of BFRT. The Friends of BFRT would fund the second bench in memory of Bob Armstrong, who was our founding president as well as a civic leader in Concord. The Friends would also commission a suitable plaque for each bench.

However, The School Committee will be meeting this month to review the request for a connection between the middle school and the BFRT, and the superintendent has requested that a bench in that location wait until those discussions have played out. Therefore our request at this time is for approval of one bench at the northern site as shown on the map as well as accepting the funding for this bench and approving the plaque wording for this bench. The Friends have submitted funds to the Town for the purchase and installation of one bench.

Barbara Pike 9/10/25

8/29/25

Hi Barbara,

I can confirm that I reviewed the flagged locations and that they are appropriate areas for the proposed installation.

The type of bench we reviewed (teak 6', commercial grade, bench) could be installed by the CPW team. The installation does require construction (site grading, materials, anchoring). ~~Does the donation include funding for installation? I estimate \$2,500 for the installation (labor and site materials only).~~

Regards,

Aaron Miklosko, MSFM

Highway & Grounds Superintendent

Deputy Tree Warden

Concord Public Works

Town of Concord

Office: 978-318-3220

amiklosko@concordma.gov



Friends of the Bruce Freeman Rail Trail

P.O. Box 1192
Concord, MA 01742
www.brucefreemanrailtrail.org

August 23, 2025

Board Members

Acton

Jeff Bergart
Paul Malchodi
Joyce Reischutz

Carlisle

Glenn Reed

Chelmsford

Brian Judd

Concord

Carlene Hempel
Stuart Johnstone
Judy Perrin
Barbara Pike:
Membership

Framingham

Ed Kross
Ralph Hebb
Michael Yeomans

Lowell

Sharon Galpin

Sudbury

John McQueen
Chris Menge
Glenn Pransky
Amy Sarli
Dick Williamson

Westford

Chris Barrett
Emily Teller:
Secretary

At-Large

Christine Corr:
Treasurer
Tom Michelman:
President

Mark Howell
Chair of Concord Select Board
22 Monument Square
Concord, MA 01742

Dear Chair Howell:

I am writing to you to ask for support and acceptance of a donation to install two benches on the Bruce Freeman Rail Trail (BFRT).

The BFRT has a dedicated handicap parking spot at Williams Road. However, there are no benches on the rail trail south for over a mile. Thus, a person with limited mobility has no place to rest to enjoy the trail in this section.

In response to a request from fellow Friends of the Bruce Freeman Rail Trail (FBFRT) board member and Concord resident Barbara Pike, Alyssa Sandoval and Delia Kaye have identified two locations near Williams Road that are suitable for installation of a bench. They are on the east side of the trail and were marked with red flags (some of which are now missing).

Funding for the benches is available from two sources. The Concord Runners would fund one bench in memory of Bob Hall, who was a long-time leader of the group as well as a Sudbury representative on the Board of the FBFRT. The FBFRT desire to fund the second bench in memory of Bob Armstrong, who was our founding president as well as a civic leader in Concord.

If amenable to the Town, the FBFRT also will commission a suitable plaque for each bench.

We hope you can place this request on the Select Board's agenda for September 8, 2025.

Thank you for your support for the Bruce Freeman Rail Trail.

Sincerely,

Tom Michelman
President – Friends of the Bruce Freeman Rail Trail
www.brucefreemanrailtrail.org



Home Address:
212 Gray Street
Arlington, MA 02476

cc:

Kerry Lafleur, Town Manager, 22 Monument Square, Concord

KLafleur@concordma.gov

Barbara Pike, FBFRT Board Member, 118 Board Road, Concord, bbpike@aol.com

MATTWORKS, LLC

Matthew Hall
76 Brook Trail Road
Concord, MA 01742

August 15, 2025

Mark Howell
Chair, Concord Select Board
PO Box 535
Concord, MA 01742

Dear Mr. Chairman:

We are writing to express our family's support for the placement of a new bench in the name of our father, Robert (Bob) Hall to be placed on the Bruce Freeman Rail Trail near Williams Road. Our parents were civic-minded residents of Sudbury for over 50 years. They volunteered extensively around town and were active in supporting town causes and government. Our father had a special connection to Concord where he organized the Concord Runners from the time he started running in his early fifties until his death in 2018 at age 89. The Concord Runner group continues today, though the faces are different, and have contributed to the purchase of a bench in his honor. Bob was an early and vocal advocate on the BFRT board in Sudbury and would have been thrilled to see the trail nearing its completion as a great resource for our adjoining communities.

Sincerely,



Jennifer Hall

Peter Hall

Matthew Hall

Text for engraving on plaques, to be done by Radars Engraving:

In Memory of Robert (Bob) Hall 1929 - 2018
Leader of the Concord Runners and Board Member of the
Friends of BFRT
Donated by the Concord Runners and the Friends of the
Bruce Freeman Rail Trail



Bench location



Accessible Parking Place





CONCORD 250th ANNIVERSARY
still heard round the world
1773 2023

LIP LAU PROCESS



Present LIP Application

- Marketing and Lottery Information
- Local Preference (2 of 3)
- Site and Floor Plans
- Sales Prices
- Draft Regulatory Agreement
- Zoning Permit



Approval Process

- Select Board approves LIP Application
- State/EOHLC approves
- SB, EOHLC Execute Regulatory Agreement
- Marketing can start



Construct and Sell Homes

- Outreach and lottery
- Construct: 2026 - 2027
- Each Closing includes Deed Rider
- Add to SHI

LOCAL INITIATIVE PROGRAM APPLICATION FOR LOCAL ACTION UNITS

Introduction

The Local Initiative Program (LIP) is a state housing initiative administered by the Executive Office of Housing and Livable Communities (EOHLC) to encourage communities to produce affordable housing for low- and moderate-income households.

The program provides technical and other non-financial assistance to cities or towns seeking to increase the supply of housing for households at or below 80% of the area median income. LIP-approved units are entered into the subsidized housing inventory (SHI) pursuant to Chapter 40B.

Local Action Units (LAUs) are created through local municipal action *other than* comprehensive permits; for example, through special permits, inclusionary zoning, conveyance of public land, utilization of Community Preservation Act (CPA) funds, etc.

The Department shall certify units submitted as Local Action Units if they meet the requirements of 760 CMR 56.00 and the Local Initiative Program Guidelines, which are part of the Comprehensive Permit Guidelines and can be found on the EOHLC website at www.mass.gov/eohlc.

To apply, a community must submit a complete, signed copy of this application to:

**Executive Office of Housing and Livable Communities
100 Cambridge Street, Suite 300
Boston, MA 02114**

**Attention: Alyxandra Sabatino, LIP/HOP Coordinator
Telephone: 617-573-1328
Email: alyxandra.sabatino@mass.gov**

Community Support Narrative, Project Description, and Documentation

Please provide a description of the project, including a summary of the project's history and the ways in which the community fulfilled the local action requirement.

At Concord's Annual Town Meeting in 2022, there was immense support for the purchase of the Assabet River Bluff 7-acre property for affordable housing purposes and open space. The site was divided, 1-acre for affordable housing and the remaining 6-acres will be permanently protected with a Conservation Restriction. In July 2022, the 1-acre portion of the site located at 406 Old Marlboro Road, was purchased by the Concord Housing Development Corporation with Community Preservation Act funds and funds from the Concord Municipal Housing Trust for affordable housing. Concord Housing Development Corporation applied for a Special Permit and Site Plan with the Zoning Board in 2023, and were approved in 2024, with conditions, for a five unit residential development on the 1-acre. In May 2025, the Concord Housing Development Corporation transferred ownership of the existing two-family to the Concord Housing Authority and entered into a Land Disposition Agreement with Habitat for Humanity of Greater Lowell, Inc. The goal of the project is to construct three single family homes that will be deed restricted, affordable at 80% Area Median Income, and added to the Town's Subsidized Housing Inventory. Two of the homes will be three-bedrooms and one home will be a four-bedroom. Once the construction on the homes is completed, Concord Housing Development Corporation will convey the homes to Habitat, which will include the issuance of a Certificate of Occupancy and recording of an affordable housing restriction, who will sell the homes to families who qualify under EOHLC guidelines.

Signatures of Support for the Local Action Units Application

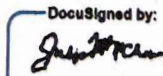
Chief Executive Officer:
defined as the mayor in a city and the board of selectmen in a town, unless some other municipal office is designated to be the chief executive officer under the provisions of a local charter

Signature: _____

Print Name: Mark Howell, Chair

Date: _____

Chair, Local Housing Partnership:
(as applicable)

Signature  _____
EDDC35EC0AA2461...

Print Name: Julie McClure, Chair CHDC

Date: 9/9/2025

Municipal Contact Information:

Chief Executive Officer:

Name: Mark Howell

Address: 22 Monument Square, Concord, MA 01742

Phone: 978-318-3000

Email: markhowell@concordma.gov

**Town Administrator/Town
Manager/Mayor:**

Name: Kerry A. Lafleur

Address: 22 Monument Square, Concord, MA 01742

Phone: 978-318-3000

Email: klafleur@concordma.gov

City/Town Planner:

Name: Elizabeth Hughes

Address: 141 Keyes Road, First Floor, Concord, MA 01742

Phone: 978-318-3290

Email: ehughes@concordma.gov

Town Counsel:

Name: KP Law, P.C.

Address: 101 Arch Street, Boston, MA 02110

Phone: 617-556-0007

Email: _____

**Chair, Local Housing Partnership
(if any):**

Name: Julie McClure

Address: 141 Keyes Road, Concord, MA 01742

Phone: 978-318-3290

Email: _____

Community Contact Person:

Name: Alyssa Sandoval

Address: 141 Keyes Road, First Floor, Concord, MA 01742

Phone: 978-318-3290

Email: asandoval@concordma.gov

The Project: Assabet River Homes

Developer:	Name: <u>Habitat for Humanity of Greater Lowell</u> <u>Sheilagh Carlisle, Executive Director</u>
	Address: <u>68 Tadmuck Road, Unit 1, Westford, MA 01886</u>
	Phone: <u>978-692-0927</u>
	Email: <u>execdir@lowellhabitat.org</u>
Project Site:	Address: <u>26, 36, and 48 Rothermel Place</u> <u>Concord, MA 01742</u> (a.k.a. 406 Old Marlboro Road, Concord, MA 01742)

Is your municipality utilizing any HOME or CDBG funding for this project? Yes _____ No X

Local tax rate per thousand \$ 13.26 For Fiscal Year 2025

Site Characteristics: proposed or existing buildings by design, ownership type, and size.

<u>Project Style</u>	<u>Total Number of Units</u>	<u>Number of Units Proposed for Local Action Units Certification</u>
Detached Single-family house	<u>3</u>	<u>3</u>
Row house/townhouse	_____	_____
Duplex	_____	_____
Multifamily house (3+ family)	_____	_____
Multifamily rental building	_____	_____
Other (please specify)	_____	_____

Unit Composition

<u>Type of Unit (Condo/Fee Simple/ Rental)</u>	<u># of Units</u>	<u># of BRs</u>	<u># of Baths</u>	<u>Gross Square Feet</u>	<u>Livable Square Feet</u>	<u>Proposed Sales Prices/Rents</u>	<u>Proposed Condo Fee/Utility Allowance</u>
Affordable:	2	3	2	2,724 +/-	1,473 +/-	\$294,700	\$300
	1	4	2	2,826 +/-	1,592 +/-	\$321,000	\$300
Market:	N/A						
Total:	3						

Please attach the following documents to your application:

1. Documentation of municipal action (e.g., copy of special permit, CPA funds, land donation, etc.)

2. Long-Term Use Restrictions (request documents before submission):

For ownership projects, this is the Regulatory Agreement for Ownership Developments, redlined to reflect any proposed changes, and/or the model deed rider.

For rental projects, this is the Regulatory Agreement for Rental Developments, redlined to reflect any proposed changes.

For HOME-funded projects, this is the HOME covenant/deed restriction. When attaching a HOME deed restriction to a unit, the universal deed rider cannot be used.

3. Documents of Project Sponsor's (developer's) legal existence and authority to sign the Regulatory Agreement:

- appropriate certificates of Organization/Registration and Good Standing from the Secretary of State's Office
- mortgagee consents to the Regulatory Agreement
- Trustee certificates or authorization for signer(s) to execute all documents
- Copy of Site Plan

4. For Condominium Projects Only: The Master Deed with schedule of undivided interest in the common areas in percentages set forth in the condominium master deed

5. For Rental Projects Only: A copy of the lease with lease addendum and Local Housing Authority's current Utility Allowances

6. Affirmative Fair Marketing and Lottery Plan, including:

- ads and flyers with HUD Equal Housing Opportunity logo
- informational materials for lottery applicants
- eligibility requirements
- lottery application and financial forms
- lottery and resident selection procedures
- request for local preference and demonstration of need for the preference
- measures to ensure affirmative fair marketing, including outreach methods and venue list
- name of Lottery Agent with contact information

See Section III of the Comprehensive Permit Guidelines at: <http://www.mass.gov> (enter LIP 40b guidelines in Search field) for more information.

PLEASE contact our office if you have any questions: 617-573-1328.



Affirmative Fair Housing Marketing Plan

**Assabet River Homes
26, 36, and 48 Rothermel Place
Concord MA 01742**

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Project Name and Address: Assabet River Homes – 26, 36, and 48 Rothermel Pl., Concord MA 01742

Number of units	# of bedrooms	Description (Accessible ranch, 2 story home, etc.)	AMI Max (60% or 80%)	Maximum Sales Price	Lottery Preference (if any)
2	3	3 bedroom 2 bath free standing	80	\$294,700	
1	4	4 bedroom 2 bath free standing	80	\$321,000	

1. Purpose of the Plan, Description and Sales Price of Units

Habitat for Humanity of Greater Lowell builds strength, stability and self-reliance through affordable homeownership. Habitat for Humanity is a housing ministry dedicated to strengthening communities by empowering low-income families to change their lives and the lives of future generations through homeownership opportunities. This is accomplished by working in partnership with diverse people, from all walks of life, to build simple, affordable housing.

Habitat’s mission to provide home-ownership opportunities to low-income families is unique as it requires partner families to work alongside the community that is reaching out to help them. Each Habitat partner family provides at least 250 hours of “sweat equity,” or physical labor, toward the construction of their own home, other Habitat family homes, and special projects. Reasonable accommodation will be provided for people with disabilities.

Habitat is committed to ensuring fair and open access to affordable housing opportunities. This marketing plan was written to ensure that any group(s) of persons ordinarily not likely to apply for this housing without special outreach know about the available housing, feel welcome to apply and can pursue homeownership with Habitat.

For all projects a maximum sales price shall be established at the time of the initial marketing of the affordable units. The advertised sales price will not exceed an affordable price as calculated by using the EOHLC price calculator. The prices of homes cannot be increased for lottery winners, even if the interest rates and HUD income guidelines change.

2. General Eligibility Requirements

Habitat for Humanity affiliates use three main criteria for determining the eligibility of applicants:

1. Housing Need:
 - a. Current living situation is poorly built, damaged, unaffordable, unsafe or overcrowded
 - b. Applicant can not afford conventional financing for a market rate home in the area
 - c. Household income is below the project maximum (example 60% or 80% AMI)
 - d. Applicant is a first time homebuyer (see definition below)
 - e. Applicant assets are less than \$75,000
2. Ability to Pay:
 - a. Applicant meets minimum income requirements
 - b. Applicants front end housing costs will not exceed 30% of their income
 - c. Applicants' total debt with an anticipated mortgage will not exceed 40% of their income
 - d. Applicants' must qualify for conventional financing. Financing must be through a 30-year fixed rate/no points conventional mortgage.
3. Willingness to partner
 - a. The applicant agrees to complete sweat equity and any required first-time homebuyer education classes. Reasonable accommodation will be provided for people with disabilities.

Part of the housing need criteria includes the requirement that the household shall not have owned a home within three years preceding the application, with the exception of:

- a) displaced homemakers, where the displaced homemaker (an adult who has not worked full-time, full-year in the labor force for a number of years but has, during such years, worked primarily without remuneration to care for the home and family), while a homemaker, owned a home with his or her partner or resided in a home owned by the partner;
- b) single parents, where the individual owned a home with his or her partner or resided in a home owned by the partner and is a single parent (is unmarried or legally separated from a spouse and either has 1 or more children of whom the individual has custody or joint custody, or is pregnant);
- c) households where at least one household member is 55 or over;
- d) households that owned a principal residence not permanently affixed to a permanent foundation in accordance with applicable regulations; and
- e) households that owned a property that was not in compliance with State, local or model building codes and that cannot be brought into compliance for less than the cost of constructing a permanent structure

In addition, individuals with a financial interest in the development or directly involved with the project are not eligible for funding.

The ability to pay an affordable mortgage will be evaluated along with the requirement that all mortgages should be fully amortized and at a fixed rate.

Statement of Non-Discrimination: In carrying out the plan, Habitat for Humanity will not to discriminate in the selection of applicants on the basis of race, color, national origin, disability, age, ancestry, children, familial status, genetic information, marital status, public assistance reciprocity, religion, sex, sexual orientation, gender identity, veteran/military status, or any other basis prohibited by law, and such a statement must also be included in the application materials. Further, persons with disabilities are entitled to request reasonable accommodation in rules, policies, practices, or services, or to request a reasonable modification in the housing, when such accommodations or modifications may be necessary.

Additional information about the process for determining eligibility can be seen in the attached affiliate Family Selection Policy.

3. Maximum Income and Asset Limits

The maximum income limit for the project will be calculated as a percentage of the HUD Area Median Income by household size for the market where the home will be built. Example: 60% AMI or 80% AMI. These maximum income limits will be clearly shown in the marketing materials.

Asset limits for homeownership are:

- For age-restricted homeownership Projects, household assets shall not exceed \$275,000 in value, including equity in a dwelling to be sold.
- For non-age restricted homeownership units, household assets shall not exceed \$75,000 in value.

Attached to this plan are the referenced calculation methods for income and assets.

4. Outreach and Marketing Process

Time period: Application deadline shall be at least 60 days from the announcement of availability of applications. Marketing for these homes is scheduled so that purchasers are selected in time to participate, alongside volunteers, in the building of their homes.

If no eligible applicant is found and accepts the opportunity to partner, eligibility criteria will be reviewed by the Habitat board of directors and applications re-opened on a first-come first-serve basis.

Notice of application availability and public workshops:

- (1) Notices will be sent to area newspapers: Regional papers, and any other weekly or daily serving the Town where the new homes will be located. Minority publications will be included as relevant.
- (2) Public Service Announcements to local radio stations and local access to cable TV.
- (3) Notices and flyers are sent to the town/city hall where the homes are being built and local chambers of commerce.
- (4) Notices and flyers sent to faith congregations and associations in the municipality and surrounding areas.
- (5) Notices and flyers sent to municipality and area housing and social service agencies, and organizations serving the area's minority population, including all those included on the attached sheet.
- (6) Paper or electronic flyers distributed through the town Elementary and Middle Public Schools serving the Town, as allowed by the Superintendent; and the high school if it has an electronic distribution system.
- (7) At least two public information workshops are held in the municipality or virtually to inform and assist potential applicants, in addition to sessions and individual assistance available at the Habitat office. Virtual workshops will be offered via Zoom. In person sessions will be held in handicap accessible locations.

- (8) Applications will be available at one accessible municipal location, as well as from Habitat’s office, and can be printed from the Habitat website. At least one location will be open during the daytime and evening hours.
- (9) Posting, as required on <https://www.mymasshome.org/>
- (10) Language access: The “flyers” and the announcements on our website will also be translated and available in Spanish, if requested. If an interested person requires the assistance of an interpreter to understand the application process, an interpreter will be provided upon request.
- (11) Posts to social media may also be made to advertise the opportunity.

Please note, the above is a summary of the marketing plan. Attached is the specific outreach list where notices are placed.

Resales: As outlined in the deed restriction or lease, the monitoring agent will be responsible for calculating the maximum resale price, marketing the property to an eligible buyer and determining the eligibility of potential buyers after a conveyance notice is received from the homeowner. Resale marketing will include:

1. Announcement of the opportunity
2. Distribution of applications in public locations
3. Open houses or private showings on request instead of public information sessions
4. No deadline or lottery is required – the monitoring agent will review applications on a rolling basis and allow the seller to accept any qualified offer. All applicants who meet program eligibility criteria will be notified promptly. The homeowner and eligible buyer will then enter into a purchase and sales agreement.

5. Lottery & Selection Process

The lottery process will conform to standards consistent with the requirements of the Executive Office of Housing and Livable Communities (EOHLC) Local Initiative Program (LIP).

Habitat shall pre-qualify candidates according to its established criteria and then conduct the lottery, which shall be public and/or monitored by a representative of the local Housing Authority and/or the local municipal Affordable Housing Committee or any alternate monitoring agency as may be designated by EOHLC, and acceptable to the Municipality. The lottery will be held in an accessible location. Only applicants who meet the eligibility requirements may enter the lottery.

Household size/bedroom size: There will be a preference system within the selection process for households that will utilize all bedrooms of their home, with at least one person to each bedroom, with couples presumed to share a bedroom unless medical documentation is presented to demonstrate a true need for separate bedrooms. A household may count an unborn child as a household member if documentation is provided with the application for the pregnancy. If the applicant is in the process of a divorce or separation, the applicant must provide proof that the divorce or separation has begun or has been finalized, with their application. If there is no household with number/composition to fill all bedrooms, the earliest selection in the lottery of the size of household that would fill all but one, will be given the opportunity to be selected for a larger house size, and so on.

Accessible units: These units are not accessible. However, persons with disabilities are entitled to request a reasonable modification to the home when such accommodations or modifications may be necessary

Lottery Process with local preference

PLEASE NOTE: THERE WILL BE TWO APPLICANT POOLS, local and open/general. After the local selection for designated homes, all remaining local applicants not selected for the first designated local preference homes will ALSO be added to the open/general pool before the drawing from that open pool.

Local preference: EOHLC must be approved prior to the lottery if there is a local preference. **See page 3 of this plan for a list of the units for this project and whether or not there is a local preference.** The definition of Local will be in conformance with EOHLC’s Affirmative Fair Marketing Plan and will include households currently living in the municipality, households with a member employed by a local business or the municipality or school district, or with a household member attending public school in the municipality. In conformance with EOHLC standards, no more than 70% of the units for this project may receive a Local preference.

Minority participation: If the Local preference pool does not have representation of minority applicants equal to the County percentage, then non-local minority applicants shall be added to the local pool (to equal that percentage) to satisfy that program requirement. These non-local minority applicants will be selected by having a pre-lottery of such applicants to select which such applicants will be added to the “Local” selection pool.

PRE-LOTTERY

- 1) In preparation for the lottery, mark all chips/listed applicants with Application number; **L for “Local”, if applicable;** and **M** for minority, if applicable; and the number of bedrooms that the house-applicant will **Maximize;** and the smaller bedroom size that would also be *allowable* (where applicable) without overcrowding, and also whether **income is within 30% or 80%.**
- 2) **Mark all non-Local applicants** with the Application # and the bedroom size designations, and M, if applicable, and income designation, but without the L designation
- 3) Review the Local preference applicant data sheet to consider whether there needs to be a special minority lottery held first as described in “BACKGROUND BELOW.” If so, separate out the non-Local minority “chips” so that a non-Local lottery may be held as the first lottery step.

LOTTERY

ONLY if required: enter all minority non-Local applicants into the pot and do a drawing to determine which one(s) will be entered into the Local pool. Add “L” to any such “chip” to add to Local pool.

- 1) Enter **all LOCAL-designated chips in one lottery.** Draw all chips in order, logging in the order of selection – including 60/80% median category and house size maximizing. Offers will be made in this order drawn, conditional on #3 below.
- 2) Review the drawing for the **first 2 chips that will maximize the # of bedrooms in the home.**
- 3) Confirm **the AMI of each household: 30% AMI or 80% AMI.**
- 4) Add **ALL applicants other than the 2 confirmed LOCAL selections into the GENERAL/OPEN pool.** (If there are NO local applicants who meet the bedroom size preference, then the unit will be filled from the general/open pool.
- 5) Again, draw all the chips, and record the order for the **Open** selection homes.
- 6) Offers **will be made to the next selections in the OPEN lottery** – ones that will maximize the number of bedrooms of whatever size home has not been confirmed in the Local selections. As there may be a limited number of units at the 30% income limit, the outcome of the Local lottery will determine whether the Open selection may only be at 30%, or 80% or if there is the latitude to either household category to be selected.

- 7) Carefully review the final selection to confirm that the selections are at or below 30% AMI and at or below 80% AMI match the available number of units. If not, lower income households, to the target number needed, will be moved up in their ranking for a housing offer.
- 8) Review the final selections in the AMI categories for household size, to maximize use of the # of bedrooms in the remaining homes.

Maintain the record of the lottery for future reference.

SELECTION

After the lottery, the selected applicants will be notified and asked if they would like to proceed. Selected applicants must be approved by EOHLC before they sign a Purchase and Sale agreement. If the applicant turns down the opportunity or is disqualified after selection but before the sale of the home, Habitat may go to the second pick per the lottery preference rules outlined above.



Information Packet

Assabet River Homes - 26, 36, and 48 Rothermel Place, Concord, MA 01742

Affordable Housing Opportunities
Offered by Habitat for Humanity of Greater Lowell

This packet contains specific information on the Family Partnership Program as well as background, eligibility requirements, selection and application process for the three affordable homes being offered by for purchase by Habitat for Humanity of Greater Lowell (HFHGL) at Assabet River Homes in the Town of Concord. Located at 26, 36, and 48 Rothermel Place, the affordable homes consist of two 3-bedrooms and one 4-bedroom.

3-bedroom
\$294,700 max

4-bedroom
\$321,000 max

HFHGL encourages you to read this information and submit an application if you believe that you meet the eligibility requirements for our Family Partnership Program. This is the first step in the application process and does not guarantee you a home.

The first 3-bedroom home is estimated be ready for occupancy in the Spring of 2026.

Please note that there will be hybrid information sessions (simultaneous in-person and Zoom sessions) held for this project to accommodate a wider audience and schedules. Attending these sessions is strongly encouraged, but not required, to apply for the program. All outreach flyers will contain a Zoom link to each presentation. More information will be available at lowellhabitat.org.

INFO SESSION DATES: Add Date 1; Add Date 2; Add Date 3

Applications will be available at the Habitat for Humanity of Greater Lowell main office:
68 Tadmuck Rd, Unit 1, Westford, MA

See box in lobby for application & locked box for application drop off

APPLICATIONS MUST BE RECEIVED NO LATER THAN:
Add Appropriate Date

Questions or requests for applications should be directed to Nancy@lowellhabitat.org.



HFHGL does not discriminate in the selection of applicants on the basis of race, color, national origin, disability, age, ancestry, children, familial status, genetic information, marital status, public assistance reciprocity, religion, sex, sexual orientation, gender identity, veteran/military status, or any other basis prohibited by law.

GENERAL OVERVIEW AND SALES PRICE

Habitat for Humanity of Greater Lowell’s two 3-bedroom 2 bath homes and one 4-bedroom 2 bath home will be sold at an affordable price to a Household earning no more than 80% of the area median income. HFHGL anticipates that the first 3-bedroom home will be ready for occupancy in the Spring 2026. These homes will be approximately 1,720 and 1,840 net square feet and will include a dishwasher, refrigerator, stove, microwave and washer & dryer. The homes will be located at 26, 36, and 48 Rothermel Place in Concord and will be in a condo association, with fees approximately \$300 per month.

# of Affordable Homes	Affordable Sales Price (not to exceed)	Beds	Baths	Net Square Footage	Parking
2	\$294,700	3	2	1,720	Off street parking for 2 cars
1	\$321,000	4	2	1,840	Off street parking for 2 cars

A “Deed Rider” will be recorded with the deed at the time of purchase. This Deed Rider outlines restrictions on the property, limits the amount that the home can be resold for and requires the resale to another affordable buyer. The Deed Rider ensures that the home stays affordable in perpetuity. We recommend that potential buyers review the Deed Rider with an attorney so as to fully understand the provisions and restrictions.

Some of the restrictions include, but not limited to:

1. Owner-Occupancy/Principal Residence. The Property shall be occupied and used by the Owner’s household exclusively as their principal residence. Any use of the Property or activity thereon which is inconsistent with such exclusive residential use is expressly prohibited.
2. Restrictions against Leasing, Refinancing and Junior Encumbrances. The Property shall not be leased, rented, refinanced, encumbered (voluntarily or otherwise) or mortgaged without the prior written consent of the Monitoring Agent. *See sec 3 in Deed Rider.*
3. Options to Purchase. When the Owner or any successor in title to the Owner shall desire to sell, dispose of or otherwise convey the Property, or any portion thereof, the Owner shall notify the Monitoring Agent and the Municipality in writing of the Owner’s intention to so convey the Property. *See section 4 of the Deed Rider.*
4. Maximum Resale Price. A maximum resale price will be determined by the Monitoring Agent at the time the home is being marketed for resale. (Note: all

capital improvements or major renovations must be approved by the monitoring agent before they are undertaken in order to ensure that the resale price is adjusted correctly). This maximum price allows for some appreciation and maintains the affordability of the home. The home must be marketed to an affordable buyer earning no more than 80% of the area median income as determined by HUD at that time. *See the Maximum Resale Price section of the Deed Rider.*

Since it is anticipated that there will be more interested and eligible households than available homes, Habitat for Humanity of Greater Lowell will be accepting applications which will be reviewed and approved based on the selection criteria outlined below. Households who meet the eligibility requirements will be placed in a lottery for selection by a lottery agent. The family ranked first is able to move forward. The Board of Directors will be notified of the selection. The application and selection process, dates and eligibility requirements can all be found within this Information Packet.

Habitat for Humanity of Greater Lowell does not discriminate in the selection of households on the basis of race, color, national origin, disability, age, ancestry, children, familial status, genetic information, marital status, religion, sex, sexual orientation, gender identity, veteran/military status, receipt of public assistance or any other basis prohibited by law.

Persons with disabilities are entitled to request a reasonable modification to the home when such accommodations or modifications may be necessary to afford persons with disabilities an equal opportunity to use and enjoy the home.

HABITAT FOR HUMANITY OF GREATER LOWELL ELIGIBILITY REQUIREMENTS

This opportunity is made available through the State's Local Initiative Program and is subject to regulations and guidelines determined by the Executive Office of Housing and Livable Communities (EOHLC).

Selection for the Family Partnership Program is based on the following criteria:

1. The Household income is under the limits.
2. Need – Household need is based on the suitability of your current housing.
3. Willingness to partner – Your willingness to volunteer and participate as a Family Partner with Habitat for Humanity of Greater Lowell.
4. Household size- The selected household will require all the bedrooms in the house, according to the household size standards.
5. The Household is a first-time homebuyer.
6. Local preference – Two homes will be offered to the local preference pool.
7. Ability to Pay – Your ability to obtain a home mortgage from an affordable lender.

Further details are provided below

1. Income Limits:

Gross annual must fall between 30%- 80% of Area Median Income.

2. Significant need for adequate shelter and affordable housing, which may include one or more of the following:

- Overcrowding – less than 170 square feet of space per person.
- High rent - 40% or more of gross family income is spent on housing costs.
- Substandard conditions: Including but not limited to:
 - Flooring in need of replacement or repair
 - Drafty windows
 - High heating bills
 - Bug and/or rodent infestation
 - Mold/Mildew
 - Deferred maintenance
 - Unsanitary plumbing
 - Roof problems
 - Electrical Problems
 - Safety in house (lead paint, unsafe stairs/windows)
 - Inadequate heat
 - Poor air quality/poor water quality
 - Not up to code (emergency exits etc...)

- Number of bedrooms inadequate - dependent on age, number and gender of persons in household.
- Issues with landlord - inadequate landlord maintenance.
- General family housing situations - leasing, tenants at will, renting with subsidy, eviction likely, living with friends or parents, family split up due to lack of housing, homelessness.

3. Willingness to partner with Habitat for Humanity:

Each household member over the age of 18 who will be living in the house can contribute "sweat equity" hours toward the completion of the home. These hours can be accumulated by working alongside volunteers on construction, landscaping, site clean-up, fundraising, and many other tasks. No construction skills are necessary. Construction and ReStore volunteer opportunities are usually available Tuesday- Saturday.

Sweat Equity: Selected family partners are required to work alongside volunteers on the construction of their home. Single income households are required to work 225 hours, and dual-income households are required to complete 450 hours of sweat equity.

The breakdown of required sweat equity hours is as follows:

Partner Family Sweat Equity commitment requirement		
	DUAL	SINGLE
Total Number of Hours Required	450	225
Breakdown of hours required:		
Partner Family Build Hours	226	113
*Those adults living in home		
Partner Family Non- build hours	112	56
*Financial Training**, ReStore, Public Relations		
Friends and Family Hours	112	56
* Anyone not living in home		
* Can also be done by Partner Family		
Total required	450	225

4. Household Size

In order to make the best use of limited affordable housing resources, household size should be appropriate for the number of bedrooms in the home. Minimum household standard shall be established and shall conform to the following requirements. A household shall mean two or more persons who live regularly in the home as their principal residence and who are related by blood, marriage, law or who have otherwise evidenced a stable inter-dependent relationship, or an individual.

1. Preferences.

(a) First Preference

Within the applicant pool, first preference shall be given to households requiring the total number of bedrooms in the home based on the following criteria:

- i. There is at least one occupant per bedroom (households with a disability must not be excluded from a preference for a larger home based on household size if such larger home is needed as a reasonable accommodation.)
- ii. A married couple, or those in a similar living arrangement, shall be required to share a bedroom. Other household members may share but shall not be required to share a bedroom.
- iii. A person described in the first sentence of (ii) shall not be required to share a bedroom if a consequence of sharing would be a severe adverse impact on his or her mental or physical health and the individual provides reliable medical documentation as to such impact of sharing.
- iv. A household may count an unborn child as a household member. The household must submit proof of pregnancy with the application.
- v. If the applicant is divorced, they must provide proof that the divorce has been finalized.

(b) Second Preference

Within the applicant pool, second preference shall be given to households requiring the number of bedrooms in the home minus one, based on the above criteria.

(c) Third Preference

Within the applicant pool third preference shall be given to households requiring the number of bedrooms in the home minus two, based on the above criteria.

2. Maximum Household Size

Household size shall not exceed, nor may the maximum allowable household size be more restrictive than, State Sanitary Code requirements for occupancy of a home.

5 First Time Home-Buyer

Eligible applicants must be a First-time Homebuyer. This is further defined as a household that has not owned a home within three years, including in trust, preceding the application, with the exception of displaced homemaker, single parents and senior households (at least one household member is 55 or over).

- A displaced homemaker is an individual who is an adult, who has owned a home only with a spouse, who is legally separated from a spouse, and who does not currently own the home previously owned with a spouse.
- Single parents are individuals who owned a home with his or her partner or resided in a home owned by the partner and is a single parent (is unmarried or

legally separated from a spouse and either has 1 or more children of whom the individual has custody or joint custody, or is pregnant);

- Additional exceptions are made for households that owned a principal residence not permanently affixed to a permanent foundation, and households that owned a property that was not in compliance with State, local or model building codes.

Any previously or currently owned home must be sold prior to purchase of the affordable unit. Eligible applicants cannot own residential property, whether for primary, secondary or investment purposes.

6 Local Preference

Two homes will be offered to the local preference pool. Eligible categories for Local Preference include:

- Current Concord residents
- Families with children enrolled in the Town of Concord's schools;
- Concord municipal employees
- People employed by businesses located in the Town of Concord, including with a bona fide offer of employment.

The Local Pool will be balanced to avoid any disparate impact, ensuring that the local pool reflects the racial/ethnic balance of the HUD defined Metropolitan Statistical Area ("MSA"). Specifically, if the percentage of minority resident households eligible for the local preference pool is less than the percentage of minorities in the surrounding HUD-defined area (33.4%), minority applicants will then be included from the general pool through a minority pre-balancing to the local preference pool through a minority pre-balancing. Applicants are able to claim minority preferences if they include self-declarations as proof.

To be eligible you must be a U.S. Citizen or Permanent Resident.

7 Ability to Pay

Selected families will need to be able to obtain and repay a mortgage sourced through an affordable vendor. The home is purchased for below market rate, set at a price where the principal, property taxes, insurance and if applicable, association fees, are no more than 30% of the combined Household income at the time of qualification.

All applicants who are accepted into the Affordable Homeownership Program must be income qualified and be able to qualify for conventional financing. Financing must be through a 30-year fixed rate/no points conventional mortgage.

Sale price will be set after a future homeowner is selected. It is based on the buyers'

income – not building costs. It is determined by multiplying annual principal payment by years of the mortgage term. Annual principal payment is calculated by assessing 30% of the applicants' annual gross income, and by deducting from that the calculated costs of mortgage interest homeowner's insurance premium and property taxes at the time of estimation.

Our program goal is to set the maximum purchase price at a price affordable for an applicant earning 30–80% of AMI (Area Median Income) for their family size.

Terms of Financing: Financing will be through a Third-party lending Partner with a low interest rate and the term will be approximately, 30 years. During the life of the mortgage, the mortgagor, will act as escrow agent for the buyer, collecting regular monthly payments calculated to accumulate adequate sums to pay for insurance and property taxes and adjust as needed.

HABITAT FOR HUMANITY OF GREATER LOWELL

FAMILY SELECTION PROCESS

Habitat Family Partners are selected through a fair and open process based on their eligibility (see above). Habitat for Humanity of Greater Lowell is a non-profit 501(c) (3) Massachusetts corporation that does business in accordance with Federal and State Fair Housing and Lending Laws. Our partnership program includes educational and financial workshops to equip new homeowners with the skills they need for successful homeownership.

HFHGL's family selection committee will begin outreach efforts to inform eligible households of the housing opportunities which is also announced on the HFHGL website and via social media. Information is always available via phone or e-mail. Marketing for family selection is done through outreach with local community partners, throughout the service area including housing authorities, minority media, local churches, chambers of commerce, councils on aging, libraries, and veterans organizations.

Habitat will post the opportunity on MyMassHomes as well the Boston Fair Housing Commission's Metro List / Metropolitan Housing Opportunity Clearing Center (as noted in the Regulatory Agreement). Additionally, we reach out to past applicants along with an ongoing database of those interested in Habitat homes through our website, phone calls and other inquiries.

Habitat will host a pre-selection process to identify candidates that meet all criteria identified in eligibility requirements above. Candidates that meet these criteria will be advanced to the lottery.

All applicants entering the lottery will receive an eligibility letter indicating their lottery numbers, preferences and the lottery specifics (date/time).

There will be two lottery pools created for these opportunities - The General Pool for all applicants, and the Local Pool. Applicants will be entered into all the pools for which they qualify; so applicants eligible for Local Preference will be included in both general and local pools.

The lottery numbers will be pulled randomly by an independent third party in a public setting. Lottery numbers will be assigned a number in the sequence in which they are drawn and recorded in the order of selection on the Lottery Drawing Lists. The list of numbers drawn will be posted and letters will be mailed within three business days to the winners.

The first local preference applicant pulled, who meets the requirements, will be offered the home. Local preference applicants who are unsuccessful will be entered into the general pool. The first general pool applicant pulled, who meets the requirements, will be offered the home.

The families chosen by lottery will move forward and the Board of Directors will be notified of the selection. The selected family information will be reviewed and approved by the

Executive Office of Housing and Livable Communities (EOHLC). After the decision has been made, each family is individually notified by the selection committee of the outcome. To protect privacy, the only identity ever released is that of the family selected.

A perpetual deed restriction maintains the affordability of each home. HFHGL uses the payments to finance future home construction for other households with housing needs in the 16 cities and towns in their service area.

FREQUENTLY ASKED QUESTIONS:

GENERAL ELIGIBILITY

Q: Who is eligible to apply for the affordable home?

A: In order to qualify for an affordable home, applicant must meet each of the following criteria:

1. Everyone in the household must qualify as a “first time homebuyer” as defined below.
2. The entire household’s income and assets must be fall between the minimum and maximum allowable income and asset limits noted above.
3. The household must qualify for a mortgage with their chosen financial institution.

Q: Who is a “first-time home buyer”?

A: A person is a “first-time homebuyer” if no person in his or her household has, within the preceding three years, either owned the house they lived in or owned an interest in one or more other houses, such as through joint ownership and cannot own a home in trust.

Exceptions may be made in the following instances:

A displaced homemaker: A displaced homemaker is an individual who is an adult who meets ALL the following criteria:

- Has not worked full-time for a full year in the labor force for a number of years but has, during such years, worked primarily without compensation to care for the home and family.
- Owned a home with his or her partner or resided in a home owned by the partner.
- Does not own the home previously owned with a partner.
- Is unmarried to or divorced from their partner.

A single parent, where the individual owned a home with his or her partner or resided in a home owned by the partner and is a single parent (is unmarried or divorced from a partner and either has 1 or more children

of whom they have custody or joint custody, or is pregnant).

An age-qualified household (in which at least one member is age 55 or Over) which is selling a home in order to purchase an affordable home.

A household that owned a property that was not in compliance with State, local or model building codes and which cannot be brought into compliance for less than the cost of constructing a permanent structure.

A household that owned a principal residence not permanently affixed to a permanent foundation (example – mobile home) in accordance with applicable regulations.

Q: If someone in my household is age 55 or over can I currently own a home?

A: Yes. However, you will not be given the opportunity to purchase an affordable home here until your current home is under a Purchase and Sale Agreement. You will also be required to qualify in all other requirements.

Q: Can I apply for this home as a displaced homemaker or single parent if I currently own a home?

A: Yes. However, you will not be given the opportunity to purchase an affordable home here until your current home is under a Purchase and Sale Agreement. Please see the Asset Limits in the following pages. You will also be required to qualify in all other requirements.

EOHLC (LIP) Mortgage Approval Standards

Prior to the sale of a home, EOHLC will review and approve the terms of the Buyer's mortgage financing. EOHLC requires mortgage loans for LIP homes (in the Habitat for Humanity program) to meet the following minimum standards:

1. Be a fully amortized fixed rate mortgage to potential first-time homebuyers.
2. Have a fixed interest rate through the full 30-year term of the mortgage that is

a
current fair market interest rate.

3. With zero (0) points.

4. Monthly housing (inclusive of principal, interest, property taxes, hazard insurance,

private mortgage insurance, flood insurance (if applicable) and condominium or homeowner association fees) may not exceed 30% of their monthly income for the

mortgage.

5. Non-household members shall not be permitted as co-signors of the mortgage.

MAXIMUM INCOME AND ASSET LIMITS

Q: How is a household's income determined?

A: **A household's income is the total anticipated amount of money received by ALL members of the household who will live in the home over the next 12 months** (starting from the date of application and projecting forward 12 months) based on their current income and assets. In an effort to provide as accurate an income estimation as possible, the Selection Committee will also review historical income data to provide a basis for future income estimates. Any monies you anticipate receiving in the next 12 months will be counted as income and monies received over the previous 12 months will be analyzed to help estimate future income. This includes, but is not limited to, Social Security, alimony, child support, overtime pay, bonuses, unemployment, severance pay, part-time employment, matured bonds, monies to be received in court settlements, and actual or imputed interest and dividends on bank accounts and other assets. All sources of income are counted with the exception of income from employment for household members under the age of 18 and any income over \$480/year for full time students who are dependents (but note that all such income must still be documented even if it is exempt from the household income calculation).

It will be assumed that all households will continue to receive any monies they have received over the past 12 months unless supporting documentation proves otherwise. It is also not up to the household to determine what monies received over the past year should and should not be counted as their calculated income. Therefore, all monies should be listed on the application and the inclusion of these monies in determining a household's eligibility will be based on affordable housing guidelines.

Households must submit their 3 most recent tax returns.

Income Qualification Guidelines

To be eligible to apply for purchasing an affordable home, the combined annual income for all income sources of all income-earning members in the household must fall between 30% and 80% percent of area median income for the local area where the home is being built (Boston- HMFA 2025 guidelines).

The following is a summary of those guidelines by household size.

Household Size	Minimum Income Guideline	Maximum Income Guideline
	<i>30% of median income</i>	<i>80% of median income</i>
4	\$ 49,600	\$132,300

5	\$53,600	\$142,900
6	\$57,550	\$153,500
7	\$61,550	\$164,500
8	\$65,500	\$174,650

*Consideration will be given for other household sizes not noted

Asset Limits

Eligible Households shall not have total gross assets exceeding \$75,000 in value.

Household Assets are calculated at the time of application. Any monies you would use as a future down payment on the home will still be counted as assets. Assets may include cash, cash in savings and checking accounts, net cash value of stocks, net cash value of retirement accounts (such as 401k), real property, bonds, gifts, and capital investments.

Q: I cannot withdraw money from my 401k or retirement fund; do I have to include it when I list my assets?

A: Yes. You need to include the **net cash value** of all your current retirement funds. We realize that most retirement funds assess large penalties for early withdrawal but this does not technically mean that you cannot withdraw your funds or don't have access to them. The post-penalty amount is what you need to provide along with supporting documentation.

Q: Are there eligibility exceptions for households that are barely over the income limit but considerably under the asset limit (or vice versa)?

A: No. All households must be under both the income limit and the asset limit. Eligibility isn't based on only one or the other.

Age Qualified Households, Displaced Homemaker and Single Parent Exception:

Only households qualifying under the exceptions listed herein may own a home when applying. This home must be sold before they purchase an affordable home. The amount that the household will retain in equity from the sale of the house will be added to their asset total. Their asset total must still be below \$75,000.

Q: If I qualify for the home as an age-qualified household or Displaced Homemaker or Single Parent, how much time will I be given to sell the home?

A: Before you are allowed to sign a Letter of Intent for a new affordable home, your current home must already be under a Purchase and Sale Agreement with a buyer. At that time, households will be able to estimate how much

time they will have before they need to close on their home.

HOUSEHOLD SIZE AND COMPOSITION

In order to make the best use of limited affordable housing resources, household size should be appropriate for the number of bedrooms in the home. Minimum household standard shall be established and shall conform to the following requirements. A household shall mean two or more persons who live regularly in the home as their principal residence and who are related by blood, marriage, law or who have otherwise evidenced a stable inter-dependent relationship, or an individual.

2. Preferences.

(c) First Preference

Within the applicant pool, first preference shall be given to households requiring the total number of bedrooms in the home based on the following criteria:

- i. There is at least one occupant per bedroom (households with a disability must not be excluded from a preference for a larger home based on household size if such larger home is needed as a reasonable accommodation.)
- ii. A married couple, or those in a similar living arrangement, shall be required to share a bedroom. Other household members may share but shall not be required to share a bedroom.
- iii. A person described in the first sentence of (ii) shall not be required to share a bedroom if a consequence of sharing would be a severe adverse impact on his or her mental or physical health and the individual provides reliable medical documentation as to such impact of sharing.
- iv. A household may count an unborn child as a household member. The household must submit proof of pregnancy with the application.
- v. If the applicant is divorced, they must provide proof that the divorce has been finalized.

(d) Second Preference

Within the applicant pool, second preference shall be given to households requiring the number of bedrooms in the home minus one, based on the above criteria.

(c) Third Preference

Within the applicant pool third preference shall be given to households requiring the number of bedrooms in the home minus two, based on the above criteria.

3. Maximum Household Size

Household size shall not exceed, nor may the maximum allowable household size be more restrictive than, State Sanitary Code requirements for occupancy of a home

PROCESS FOR THE FAMILY PARTNER PROGRAM:

Step 1: Applying for the Home

Once familiar with the eligibility requirements, those interested should complete the HFHGL Homeowner Application. To complete the application, the household must include all income, asset, tax documentation as directed by the Application Checklist for every person that will be living in the home. The HFHGL Homeowner Application must be signed and dated by all income-earning members in the household. The HFHGL Homeowner Application and all required documentation must be received by Habitat for Humanity of Greater Lowell **Add Date** .

All applications should be mailed or hand delivered to:

Habitat for Humanity of Greater Lowell
68 Tadmuck Road, Unit 1
Westford, MA 01886
Attn: Nancy Cook

Email to: Nancy@lowellhabitat.org
Phone: 978-692-0927

To ensure applications arrive in time, we recommend sending them in at least one week prior to the application deadline. **Late applications will not be accepted- NO EXCEPTIONS!** If you want to ensure your application is received, call to confirm if you sent by regular mail, or we recommend sending it by certified mail or drop it off in person in our locked drop box located outside our offices, during normal business hours. Habitat for Humanity of Greater Lowell staff and other affiliated entities are not responsible for lost or late applications.

Q: What happens if I don't submit all necessary documentation or fail to correctly complete my Affordable Housing Program Application?

A: You will be notified of the missing documents and will have 10 business days to submit them.

The Family Selection Committee is responsible for reviewing each application and determining your eligibility. We build our homes for families earning less than 80% of area median income and we need to make sure you have the ability to pay the mortgage, so the committee needs to carefully review your documents.

All eligible and approved applicants will be put into a lottery. The lottery will be conducted according to the Executive Office of Housing and Livable Communities' comprehensive guidelines for housing lotteries. The lottery will be held publicly.

Step 2: Family Selection/ Signed Letter of Intent

Next steps apply only to households that are accepted into the program.

Immediately after the Family Partner has been notified of their selection, a meeting will be set up to review the partnership program in person. At this meeting, the new HFHGL Family Partner will be asked to sign a Letter of Intent (LOI) with Habitat for Humanity of Greater Lowell which outlines both the new Family Partner and HFHGL's expectations and responsibilities. It is recommended that you a selected family should obtain an attorney to review the legal implications of the LOI and deed rider.

Often the build-out for homes is anywhere from 9 months to 1 year depending on the time of selection.

Each selected household may be asked to verify their citizenship or permanent residency (if required by a third-party lender such as the USDA) and Habitat will conduct a criminal background check and sex offender registry check. Habitat will follow state guidelines for criminal background checks.

Due to strong involvement of community volunteers, it takes approximately 12 to 18 months to complete construction on a Habitat Home. During this time, you will be required to perform a minimum of 225 hours of sweat equity hours. Staff will work with you during this phase of the process and they will help you track your sweat equity hours, ensure that you meet the educational requirements and be on-hand to help select some of the custom elements available for your new home.

Step 3: Closing and Move-in

All Family Partner sweat equity and financial training requirements must be fulfilled prior to closing on your home.

If all the steps above are followed, the closing should go smoothly. Habitat for Humanity of Greater Lowell for Humanity and your attorney will be able to guide you through the process.

The final sale price will be set based on the buyers' income – not building costs. It is determined by multiplying annual principal payment by years of the mortgage term. Annual principal payment is calculated by assessing 30% of the applicants' annual gross income, and by deducting from that the calculated costs of mortgage interest homeowner's insurance premium, condo association fees, and property taxes at the time of estimation.

When construction is nearing completion, partner families should begin working with their selected financial institution (30 – 60 days prior to closing) to determine if you remain eligible for the program and can move forward and purchase the home. Unfortunately, any significant changes to income, credit and or debt may result in deselection from the program.

We will also confirm that the following contingencies have been satisfied. These include:

- a. Approval for an affordable mortgage with third party lender
- b. Proof of insurance for your new home
- c. Certification of your sweat equity hours
- d. Receipt of your down payment
- e. Certification that you've completed an approved first-time homebuyer course
- f. Certification that you've completed an approved Homeowners Association course

There will be a Home Dedication scheduled prior to the closing to offer volunteers, sponsors and donors the opportunity to view the home. The Family Partners will be expected to attend the Home Dedication.

You will have a walk-through of your home prior to the closing and will be able to move into your new home once the closing is complete.

Closing day is the day that you officially become the owner of a home! The closing is conducted in a lawyer's office, and you can have an attorney represent you.

Once you have closed on the home, there are no future income or asset eligibility reviews.

Habitat will set up a post-closing meeting approximately 3-6 months after move in to review any questions about being a homeowner or about the home itself.

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Habitat for Humanity of Greater Lowell is offering two 3 bedrooms homes and one 4 bedroom home for purchase to qualified buyers.

Cost to you:

- Max Sales Price 3 beds: \$294,700
- Max Sales Price 4 bed: \$321,000
- 3% down payment; approx. \$5,000
- Mortgage, taxes, insurance, and condo fees are approx. \$XX - \$XX per month

To qualify:

You must be a first time home buyer and have a qualifying income (see chart). You will also be required to complete 250-500 hours of sweat equity hour working on your home or other Habitat homes. Qualifying applicants will be entered into a lottery.

To apply for homeownership:

To apply and for more information please visit lowellhabitat.org/applynow. Applications are also available at...

Qualifying Household Income

Household Size	Min. Income 30% AMI	Max Income 80% AMI
4	\$49,600	\$132,300
5	\$53,600	\$142,900
6	\$57,550	\$153,500
7	\$61,550	\$164,500
8	\$65,500	\$174,650

Upcoming Info Sessions:



To learn more:

Habitat for Humanity of Greater Lowell
68 Tadmuck Rd. Suite 1
Westford, MA 01886
(978) 692-0927

*All amounts above are subject to change.

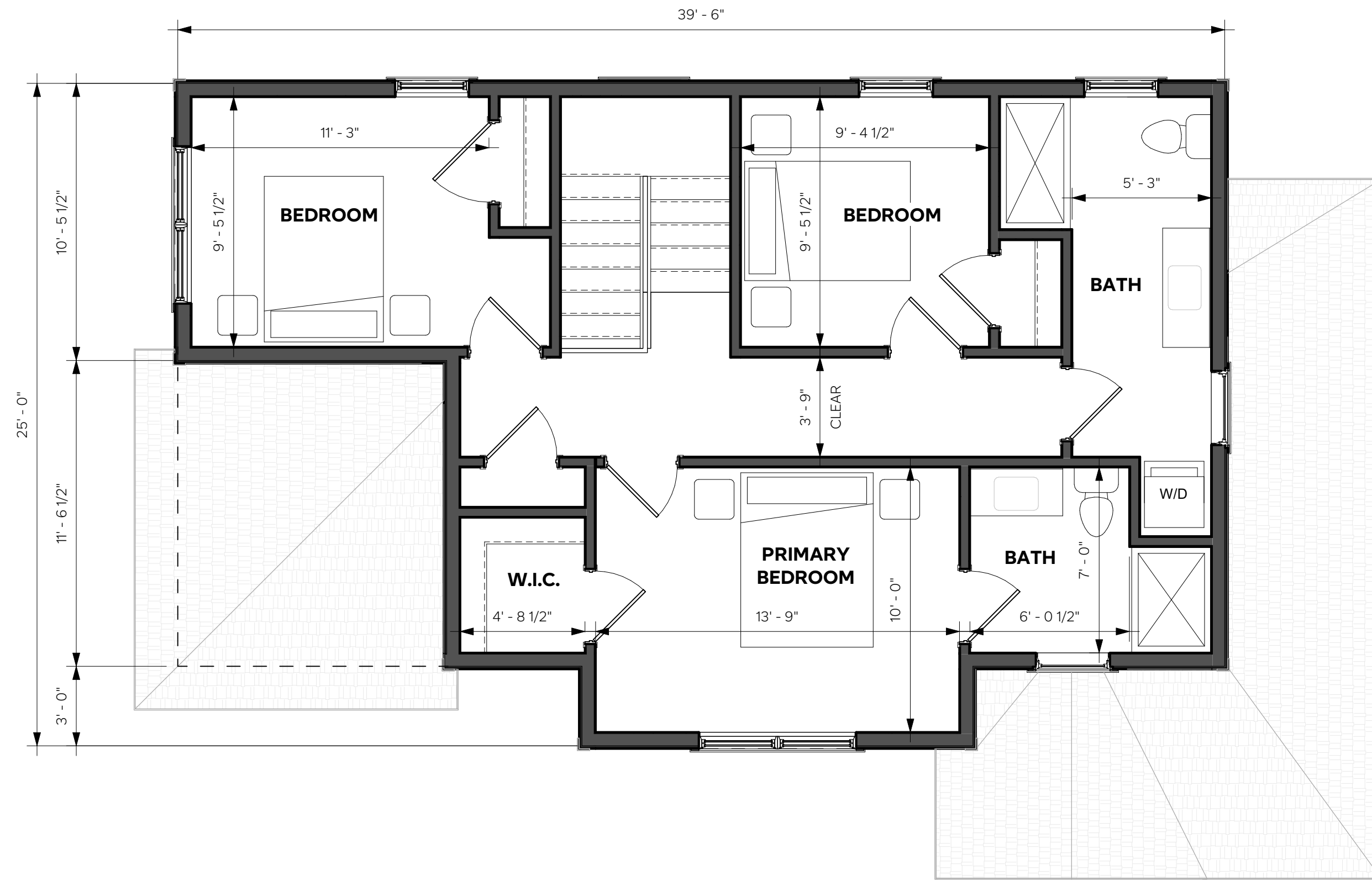
We are pledged to the letter and spirit of U.S. policy for the achievement of equal housing opportunity throughout the nation. We encourage and support an affirmative advertising and marketing program in which there are no barriers to obtaining housing because of race, color, religion, sex, disability, marital status, national origin, age, ancestry, sexual orientation, gender identity, military status, source of income and genetic information.



Rothermel Place - 3BR	
Sales Price	\$294,700
3% Down payment	\$8,841
Mortgage	\$285,859
Interest rate	6.88%
Amortization	30
Monthly P&I Payments	\$1,878.85
Tax Rate	\$13.26
monthly property tax	\$326
Hazard insurance	\$147
PMI	\$186
Condo/HOA fees (if applicable)	\$300
Monthly Housing Cost	\$2,838
Necessary Income:	\$113,506
Household Income:	
# of Bedrooms	3
Sample Household size	4
80% AMI/"Low-Income" Limit	\$132,300
Target Housing Cost (80%AMI)	\$3,308
10% Window	\$115,763
Target Housing Cost (70%)	\$2,894

Rothermel Place - 4BR	
Sales Price	\$321,000
3% Down payment	\$9,630
Mortgage	\$311,370
Interest rate	6.88%
Amortization	30
Monthly P&I Payments	\$2,046.52
Tax Rate	\$13.26
monthly property tax	\$355
Hazard insurance	\$161
PMI	\$202
Condo/HOA fees (if applicable)	\$300
Monthly Housing Cost	\$3,064
Necessary Income:	\$122,565
Household Income:	
# of Bedrooms	4
Sample Household size	5
80% AMI/"Low-Income" Limit	\$142,900
Target Housing Cost (80%AMI)	\$3,573
10% Window	\$125,038
Target Housing Cost (70%)	\$3,126

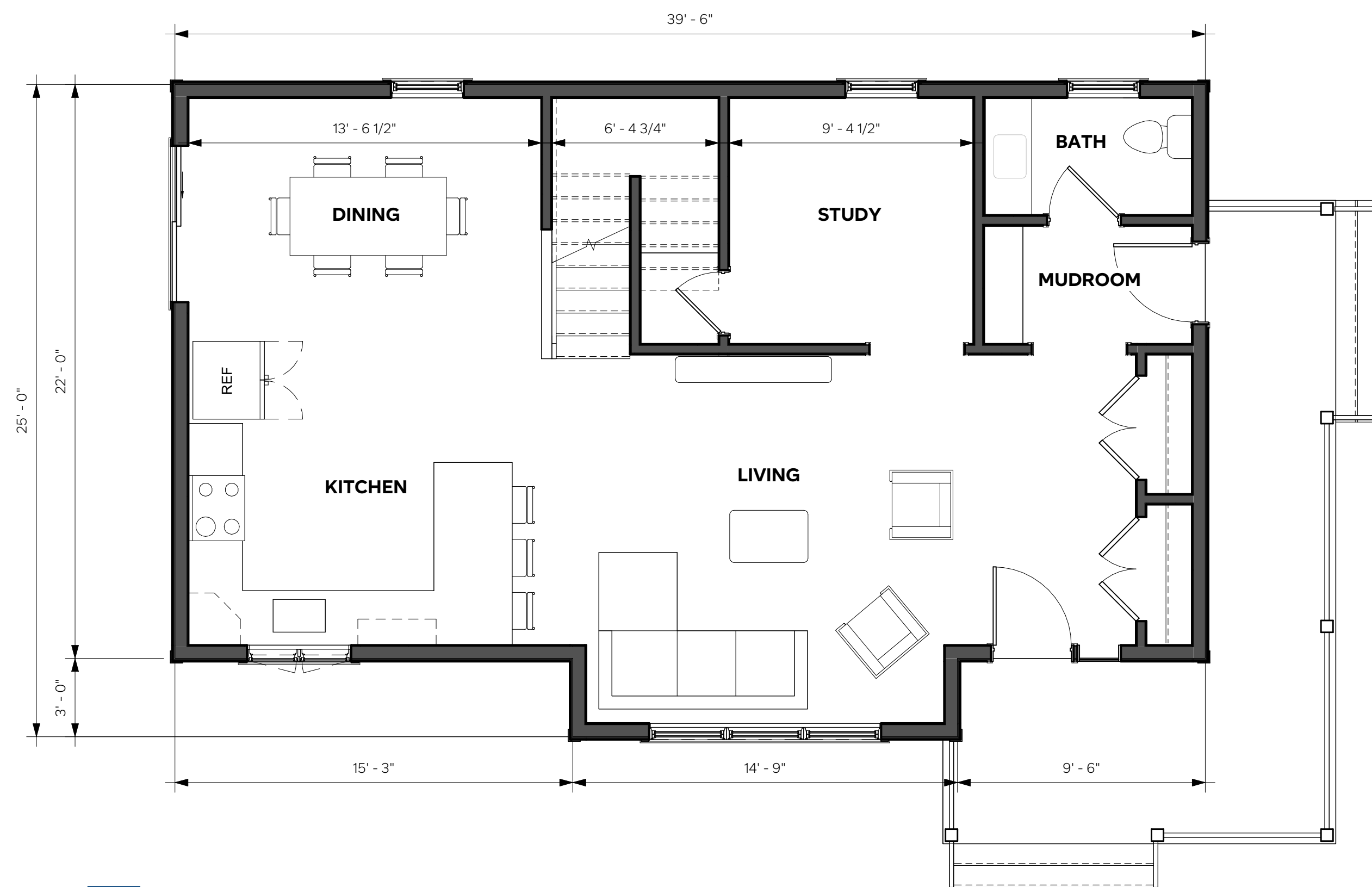
CONCEPT FLOOR PLANS - BUILDING 1 (3 BEDROOM - 1,720 SF)



2 02 FLOOR - PROPOSED (BUILDING 1)
1/4" = 1'-0"



4 RIGHT - PROPOSED (BUILDING 1)
1/4" = 1'-0"

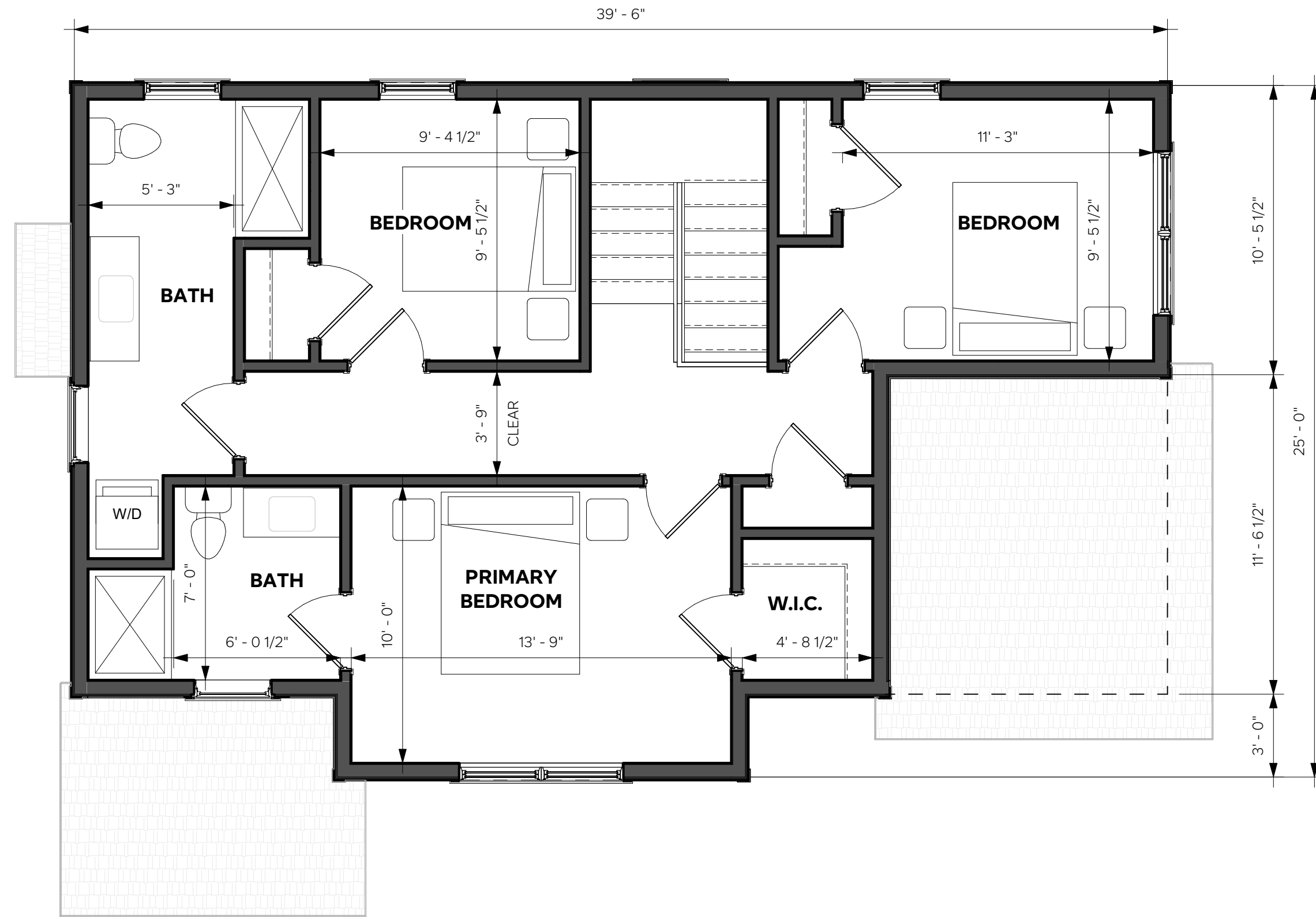


1 01 FLOOR - PROPOSED (BUILDING 1)
1/4" = 1'-0"

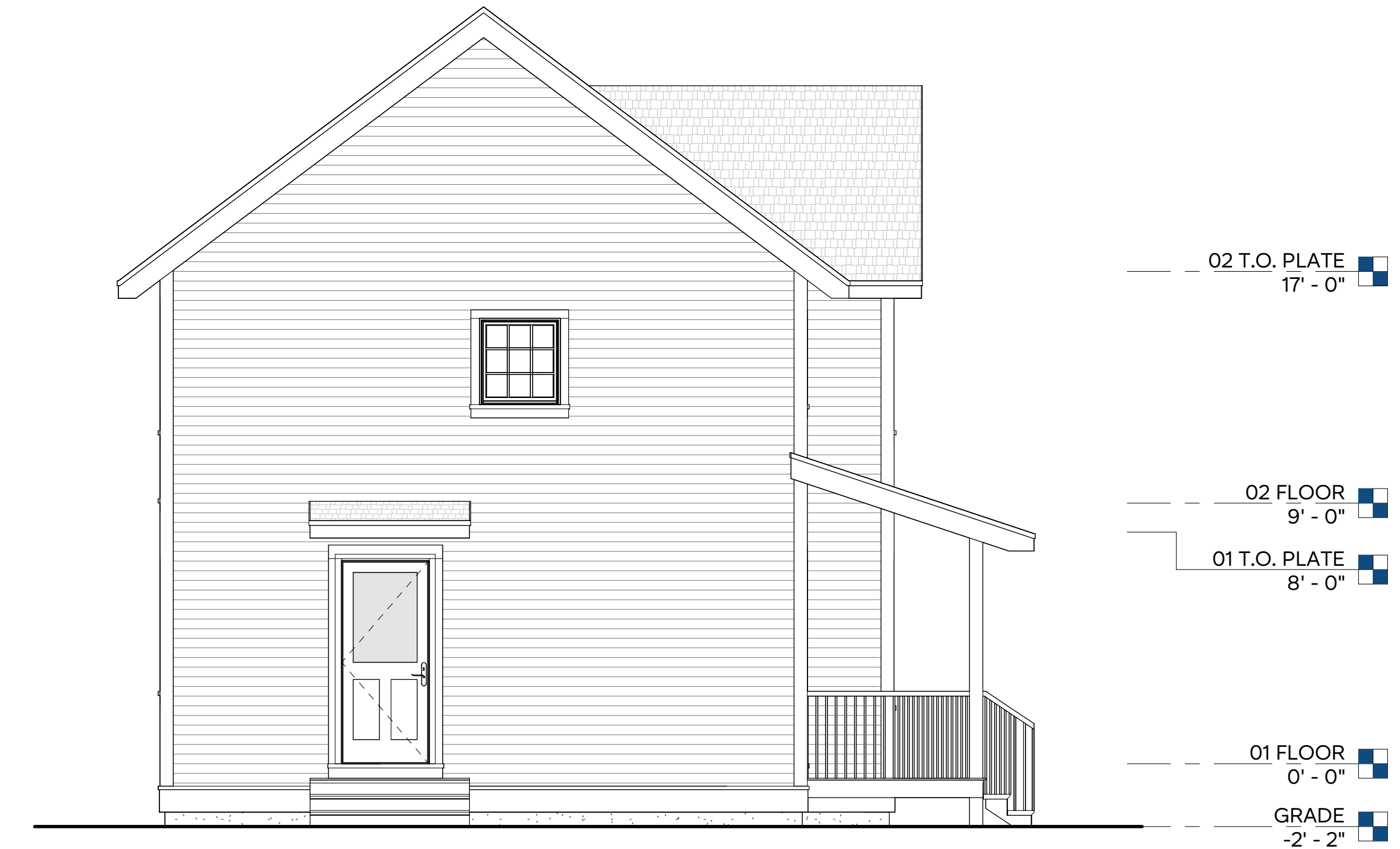


3 FRONT - PROPOSED (BUILDING 1)
1/4" = 1'-0"

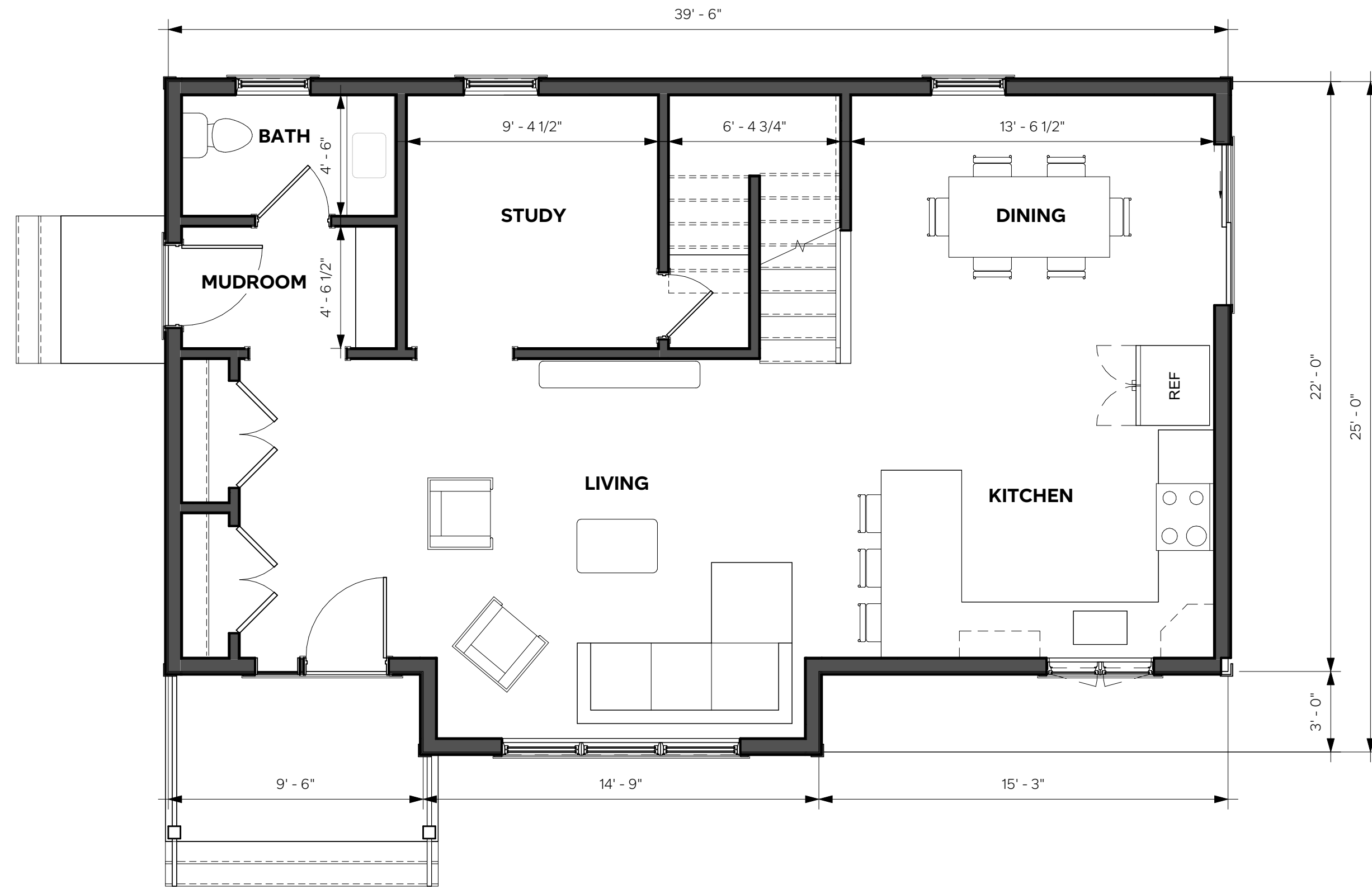
CONCEPT FLOOR PLANS - BUILDING 2 (3 BEDROOM - 1,720 SF)



2 02 FLOOR - PROPOSED (BUILDING 2)
1/4" = 1'-0"



4 LEFT - PROPOSED (BUILDING 2)
1/4" = 1'-0"

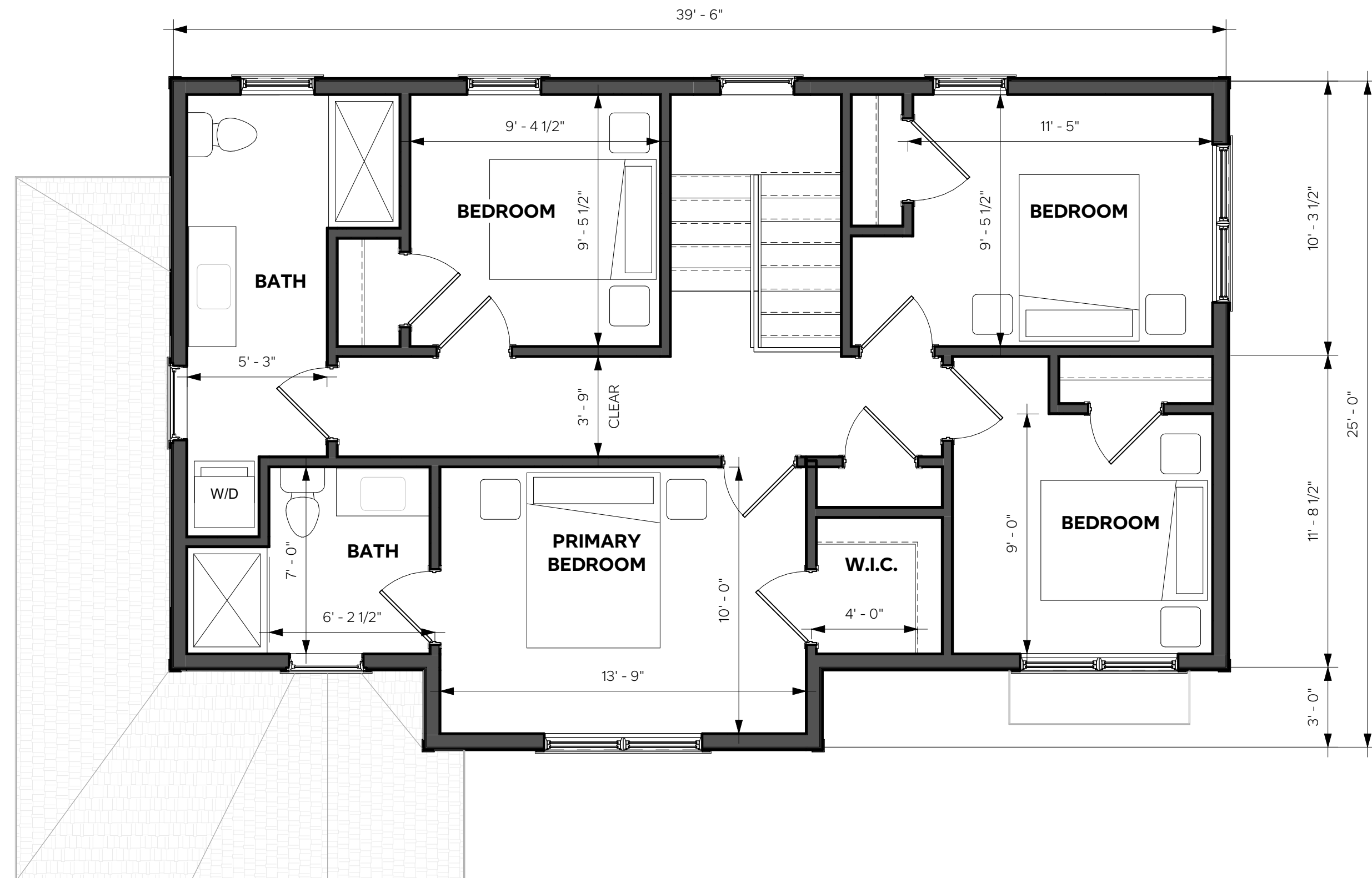


1 01 FLOOR - PROPOSED (BUILDING 2)
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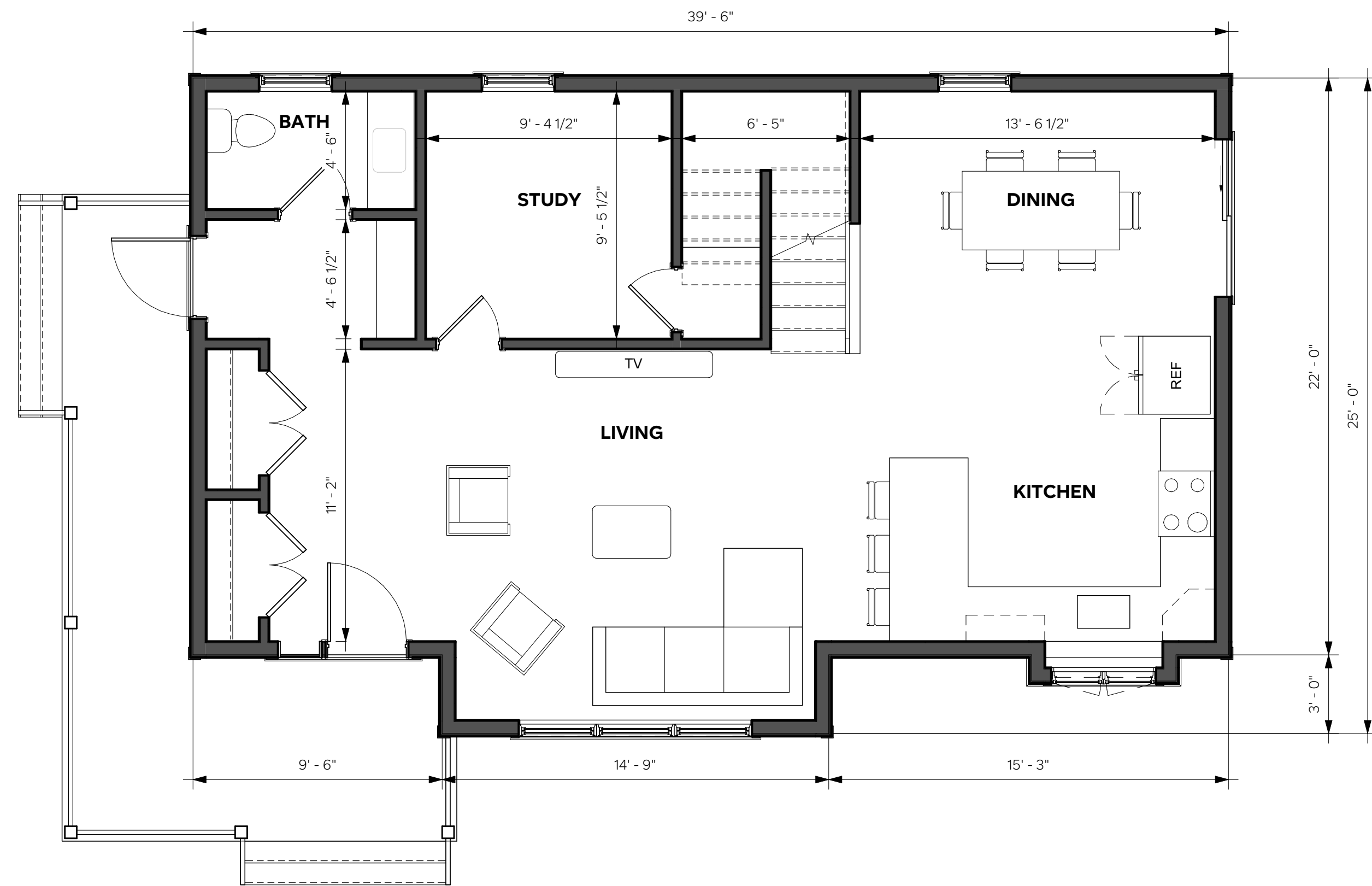


3 FRONT - PROPOSED (BUILDING 2)
1/4" = 1'-0"

CONCEPT FLOOR PLANS - BUILDING 3 (4 BEDROOM - 1,840 SF)



2 02 FLOOR - PROPOSED (BUILDING 3)
1/4" = 1'-0"



1 01 FLOOR - PROPOSED (BUILDING 3)
1/4" = 1'-0"



5 LEFT - PROPOSED (BUILDING 3)
1/4" = 1'-0"



3 FRONT - PROPOSED (BUILDING 3)
1/4" = 1'-0"

LOCAL INITIATIVE PROGRAM
REGULATORY AGREEMENT
AND
DECLARATION OF RESTRICTIVE COVENANTS
FOR
OWNERSHIP PROJECT

This Regulatory Agreement and Declaration of Restrictive Covenants (the "Agreement") is made this ___ day of _____ 20__ by and among the Commonwealth of Massachusetts, acting by and through the Executive Office of Housing and Livable Communities ("EOHLC"), pursuant to G.L. c. 23B §1 as amended by Chapter 7 of the Acts of 2023, the Town of Concord ("the Municipality"), and Habitat for Humanity of Greater Lowell, Inc., a Massachusetts nonprofit corporation, having an address at 68 Tadmuck Road, Unit 1, Westford, MA 01886, and its successors and assigns ("Project Sponsor").

Deleted: City/

Deleted: /limited partnership/limited liability company

WITNESSETH:

WHEREAS, pursuant to G.L. c. 40B, §§ 20-23 (the "Act") and the final report of the Special Legislative Commission Relative to Low- and Moderate-Income Housing Provisions issued in April 1989, regulations have been promulgated at 760 CMR 56.00 (the "Regulations") which establish the Local Initiative Program ("LIP");

WHEREAS, the Project Sponsor intends to construct a housing development known as Assabet River Homes at a 1-acre site on Rothermel Place in the Municipality, more particularly described in Exhibit A attached hereto and made a part hereof (the "Project");

Deleted: Street/Road

WHEREAS, such Project is to consist of a total number of 3 condominium units/detached dwellings (the "Units") and 3 of the Units will be sold at prices specified in this Agreement to persons or households with incomes at or below eighty percent (80%) of the regional median household income (the "Low- and Moderate-Income Units");

WHEREAS, the Chief Executive Officer of the Municipality (as that term is defined in the Regulations) and the Project Sponsor have made application to EOHLC to certify that the units in the Project are Local Action Units (as that term is defined in the *Comprehensive Permit Guidelines* (the "Guidelines")) published by EOHLC with the LIP Program; and

Deleted: [For comprehensive permit projects add: upon application of the Chief Executive Officer of the Municipality (as that term is defined in the Regulations) and the Project Sponsor, EOHLC made a determination of project eligibility pursuant to 760 CMR 56.04 and the Project Sponsor has received a comprehensive permit from the Zoning Board of Appeals of the Municipality, which permit is recorded/filed at the _____ Registry of Deeds/Registry District of the Land Court (the "Registry") in Book _____, Page _____/as Document No. _____ (the "Comprehensive Permit")] [For Local Action Units add:

WHEREAS, in partial consideration of the execution of this Agreement, EOHLC has given and will give technical and other assistance to the Project;

Deleted: [for comprehensive permit projects add: EOHLC is issuing its final approval of the Project within the LIP Program pursuant to Section 19 of this Agreement, and has given and will give technical and other assistance to the Project] [for Local Action Units add:

NOW, THEREFORE, in consideration of the agreements and covenants hereinafter set forth, and other good and valuable consideration, the receipt and sufficiency of which each of the

Deleted:]

parties hereto hereby acknowledge to the other, EOHLIC, the Municipality, and the Project Sponsor hereby agree and covenant as follows:

1. The Project Sponsor agrees to construct the Project in accordance with plans and specifications approved by the Municipality (the "Plans and Specifications"). In addition, all Low- and Moderate-Income Units to be constructed as part of the Project must be indistinguishable from other Units in the Project from the exterior (unless the Project has an approved "Alternative Development Plan" as set forth in the *Comprehensive Permit Guidelines* (the "Guidelines")) published by EOHLIC, and must contain complete living facilities including but not limited to a stove, refrigerator, kitchen cabinets, plumbing fixtures, and washer/dryer hookup, all as more fully shown in the Plans and Specifications.

Deleted: [for comprehensive permit projects add: and in accordance with all terms and conditions of the Comprehensive Permit]

- 0 of the Low- and Moderate-Income Units shall be one-bedroom units;
- 0 of the Low- and Moderate-Income Units shall be two-bedroom units;
- 2 of the Low- and Moderate-Income Units shall be three-bedroom units; and,
- 1 of the Low- and Moderate-Income Units shall be four-bedroom units.

Deleted: _

All Low- and Moderate-Income Units to be occupied by families must contain two or more bedrooms. Low- and Moderate-Income Units must have the following minimum areas:

- one-bedroom units - 700 square feet
- two-bedroom units - 900 square feet
- three-bedroom units - 1200 square feet
- four-bedroom units - 1400 square feet

The Project must fully comply with the State Building Code and with all applicable state and federal building, environmental, health, safety and other laws, rules, and regulations, including without limitation all applicable federal and state laws, rules and regulations relating to the operation of adaptable and accessible housing for persons with disabilities. The Project must also comply with all applicable local codes, ordinances and by-laws.

Deleted: [For comprehensive permit projects add: Except to the extent that the Project is exempted from such compliance by the Comprehensive Permit,]

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Each Low- and Moderate-Income Unit will be sold for no more than the price set forth in Exhibit B attached hereto and made a part hereof to an Eligible Purchaser. An Eligible Purchaser is a Family (i) whose annual income does not exceed eighty percent (80%) of the Area median income adjusted for family size as determined by the U. S. Department of Housing and Urban Development and (ii) whose assets do not exceed the limits specified in the Guidelines. A "Family" shall mean two or more persons who will live regularly in the Low- or Moderate-Income Unit as their primary residence and who are related by blood, marriage, or operation of law or who have otherwise evidenced a stable inter-dependent relationship; or an individual. The "Area" is defined as the Boston-Cambridge-Newton, MA-NH HMFA.

Deleted: MSA/

Deleted: /County

2. Upon the occurrence of one of the events described in 760 CMR 56.03(2), the Project will be included in the Subsidized Housing Inventory as that term is described in 760 CMR 56.01. Only Low- and Moderate-Income Units will be counted as SHI Eligible Housing as that term is described in 760 CMR 56.01 for the purposes of the Act.

3. (a) At the time of sale of each Low- and Moderate-Income Unit by the Project Sponsor, the Project Sponsor shall execute and shall as a condition of the sale cause the purchaser of the Low- and Moderate-Income Unit to execute an Affordable Housing Deed Rider in the form of Exhibit C attached hereto and made a part hereof (the “Deed Rider”). Such Deed Rider shall be attached to and made a part of the deed from the Project Sponsor to the Unit Purchaser. Each such Deed Rider shall require the Unit Purchaser at the time he desires to sell the Low- and Moderate-Income Unit to offer the Low- and Moderate-Income Unit to the Municipality and to EOHLC at a discounted purchase price more particularly described therein. The Municipality and EOHLC shall have the option upon terms more particularly described in the Deed Rider to either purchase the Low- and Moderate-Income Unit or to find an Eligible Purchaser. The Deed Rider shall require the Unit Purchaser and the Eligible Purchaser to execute at the time of resale a Deed Rider identical in form and substance to the Deed Rider then in effect with respect to the Low- and Moderate-Income Unit which will be attached and made a part of the deed from the Unit Purchaser to the Eligible Purchaser, so that the affordability of the Low- and Moderate-Income unit will be preserved each time that subsequent resales of the Low- and Moderate-Income unit occur. (The various requirements and restrictions regarding resale of a Low- and Moderate-Income Unit contained in the Deed Rider are hereinafter referred to as the (“Resale Restrictions”). If upon the initial resale or any subsequent resale of a Low- and Moderate-Income Unit, the Municipality and EOHLC are unable to find an Eligible Purchaser for the Low- and Moderate-Income Unit, and the Municipality and EOHLC each elect not to exercise its right to purchase the Low- and Moderate-Income Unit, then the then current owner of the Low- and Moderate-Income Unit shall have the right to sell the Low- and Moderate-Income Unit to any person, regardless of his income (an “Ineligible Purchaser”) at the Maximum Resale Price and subject to all rights and restrictions contained in the Deed Rider, and provided that the Unit is conveyed subject to a Deed Rider identical in form and substance to the Deed Rider then in effect with respect to the Low- and Moderate-Income Unit which will be attached and made part of the deed from the Unit Purchaser to the Ineligible Purchaser.

(b) For each sale of a Low- and Moderate-Income Unit, EOHLC must approve the terms of the Eligible Purchaser’s mortgage financing as evidenced by EOHLC’s issuance of the Resale Price Certificate described in the Deed Rider.

(c) The Municipality agrees that in the event that it purchases a Low- and Moderate-Income Unit pursuant to its right to do so contained in the Deed Rider then in effect with respect to such Low- and Moderate-Income Unit, that the Municipality shall within six (6) months of its acceptance of a deed of such Low- and Moderate-Income Unit, either (i) sell the Low- and Moderate-Income Unit to an Eligible Purchaser at the same price for which it purchased the Low- and Moderate-Income Unit plus any expenses incurred by the Municipality during its period of ownership, such expenses to be approved by EOHLC, subject to a Deed Rider satisfactory in form and substance to EOHLC and the recording of an Eligible Purchaser Certificate satisfactory in form and substance to EOHLC, the method for selecting such Eligible Purchaser to be approved by EOHLC or (ii) rent the Low- and Moderate-Income Unit to a person who meets the income guidelines of the LIP Program, upon terms and conditions satisfactory to EOHLC and otherwise in conformity with the requirements of the LIP Program. If the Municipality fails to sell or rent the Low- and Moderate-Income unit as provided herein within said six (6) month period, or if at

any time after the initial rental of the Low- and Moderate-Income Unit by the Municipality as provided herein the Low- and Moderate-Income Unit becomes vacant and remains vacant for more than ninety (90) days, then such Low- and Moderate-Income Unit shall cease to be counted as SHI Eligible Housing, and shall no longer be included in the Subsidized Housing Inventory.

(d) Each Low- and Moderate-Income Unit will remain SHI Eligible Housing and continue to be included in the Subsidized Housing Inventory for as long as the following three conditions are met: (1) this Agreement remains in full force and effect and neither the Municipality nor the Project Sponsor is in default hereunder; (2) the Project and Low- and Moderate-Income Unit each continue to comply with the Regulations and the Guidelines as the same may be amended from time to time; and (3) either (i) a Deed Rider binding the then current owner of the Low- and Moderate-Income Unit to comply with the Resale Restrictions is in full force and effect and the then current owner of the Low- and Moderate-Income Unit is either in compliance with the terms of the Deed Rider, or the Municipality is in the process of taking such steps as may be required by EOHLIC to enforce the then current owner's compliance with the terms of the Deed Rider or (ii) the Low- and Moderate-Income Unit is owned by the Municipality and the Municipality is in compliance with the terms and conditions of the last preceding paragraph, or (iii) the Low- and Moderate-Income Unit is owned by EOHLIC.

4. Intentionally omitted.

5. (a) Prior to marketing or otherwise making available for sale any of the Units, the Project Sponsor must obtain EOHLIC's approval of a marketing plan (the "Marketing Plan") for the Low- and Moderate-Income Units. Such Marketing Plan must describe the buyer selection process for the Low- and Moderate-Income Units and must set forth a plan for affirmative fair marketing of Low- and Moderate-Income Units and effective outreach to protected groups underrepresented in the municipality, including provisions for a lottery, consistent with the Regulations and Guidelines. At the option of the Municipality, and provided that the Marketing Plan demonstrates (i) the need for the local preference (e.g., a disproportionately low rental or ownership affordable housing stock relative to need in comparison to the regional area), and (ii) that the proposed local preference will not have a disparate impact on protected classes, the Marketing Plan may also include a preference for local residents for up to seventy percent (70%) of the Low- and Moderate-Income Units, subject to all provisions of the Regulations and Guidelines, provided that any local preference shall apply only to the initial unit sales by the Project Sponsor. When submitted to EOHLIC for approval, the Marketing Plan should be accompanied by a letter from the Chief Executive Officer of the Municipality (as that term is defined in the Regulations) which states that the buyer selection and local preference (if any) aspects of the Marketing Plan have been approved by the Municipality and which states that the Municipality will perform any aspects of the Marketing Plan which are set forth as responsibilities of the Municipality in the Marketing Plan. The Marketing Plan must comply with the Regulations and Guidelines and with all other applicable statutes, regulations and executive orders, and EOHLIC directives reflecting the agreement between EOHLIC and the U.S. Department of Housing and Urban Development in the case of *NAACP, Boston Chapter v. Kemp*. **If the Project is located in the Boston-Cambridge-Quincy, MA-NH MSA, the Project Sponsor must list all Low- and Moderate-Income Units with the Boston Fair Housing Commission's MetroList (Metropolitan Housing Opportunity Clearing Center); other requirements for listing of units**

Deleted: [For comprehensive permit projects where the Project Sponsor is a for-profit entity add:]

→ (a) Effective August 7, 2007, EOHLIC has adopted the policies, procedures, and forms for determining limited dividend compliance set forth in the MassHousing document entitled "Preparation of Cost Certification upon Completion of Homeownership 40B Project for Which MassHousing Serves as Project Administrator: Guidance to Developers and Municipalities" (the "MassHousing Guidance"). The MassHousing Guidance shall govern the cost certifications obligations of the Project Sponsor under this Agreement.

→ (b) The Project Sponsor shall be a limited dividend organization as defined by 760 CMR 56.01. Project Sponsor agrees that the aggregate profit from the Project which shall be payable to Project Sponsor or to the partners, shareholders or other owners of Project Sponsor or the Project shall not exceed twenty percent (20%) of total development costs of the Project, which development costs have been approved by EOHLIC (the "Allowable Profit").

→ (c) Within one hundred eighty (180) days after Substantial Completion of the Project (as that term is defined in the MassHousing Guidance) or, if later, within sixty (60) days of the date on which all units in the Project are sold, the Project Sponsor shall deliver to the Municipality and to EOHLIC an itemized statement of total development costs together with a statement of gross income from the Project received by the Project Sponsor to date in form satisfactory to EOHLIC (the "Certified Cost and Income Statement") prepared and certified by a certified public accountant satisfactory to EOHLIC. EOHLIC requires the prequalification of the certified public accountant hired by the Project Sponsor as more particularly set forth in Article IV (D) of the Guidelines. If all units at the Project have not been sold within twenty-four (24) months of Substantial Completion, a sale price for the remaining unsold units shall be imputed in an amount equal to the average of the last three (3) arms-length sales of comparable units, and a final Certified Cost and Income Statement shall be required within sixty (60) days thereafter. Prior to EOHLIC's acceptance of the Certified Cost and Income Statement and for a period of 30 days after EOHLIC provides the Municipality with its determination of compliance with the limited dividend requirement, the Municipality shall have the option of having the Certified Cost and Income Statement evaluated for accuracy (e.g., absence of material errors) applying the same standards as EOHLIC by an independent auditor selected by the Municipality. EOHLIC will reasonably review any inaccuracies identified by the Municipality during this period and shall thereafter make a final determination of the Project Sponsor's compliance with the limited dividend requirement.

→ (d) All profits from the Project in excess of the Allowable Profit (the "Excess Profit") shall be paid by the Project Sponsor to the Municipality. The Municipality agrees that upon the receipt by the Municipality of any Excess Profit, the Municipality shall deposit any and all such Excess Profit into an affordable housing fund, if one exists. [1]

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are specified in the Guidelines. All costs of carrying out the Marketing Plan shall be paid by the Project Sponsor.

(b) The Project Sponsor may use in-house staff to draft and/or implement the Marketing Plan, provided that such staff meets the qualifications described in the Guidelines. The Project Sponsor may contract for such services provided that any such contractor must be experienced and qualified under the standards set forth in the Guidelines. A failure to comply with the Marketing Plan by the Project Sponsor or by the Municipality shall be deemed to be a default of this Agreement. The Project Sponsor agrees to maintain for at least five years following the sale of the last Low- and Moderate-Income Unit, a record of all newspaper ads, outreach letters, translations, leaflets, and any other outreach efforts (collectively "Marketing Documentation") as described in the Marketing Plan as approved by EOHLIC which may be inspected at any time by EOHLIC. All Marketing Documentation must be approved by EOHLIC prior to its use by the Project Sponsor or the Municipality. The Project Sponsor and the Municipality agree that if at any time prior to or during the process of marketing the Low- and Moderate-Income Units, EOHLIC determines that the Project Sponsor, or the Municipality with respect to aspects of the Marketing Plan that the Municipality has agreed to be responsible for, has not adequately complied with the approved Marketing Plan, that the Project Sponsor or Municipality as the case may be, shall conduct such additional outreach or marketing efforts as shall be determined by EOHLIC.

6. Neither the Project Sponsor nor the Municipality shall discriminate on the basis of race, religion, color, sex, sexual orientation, familial status, age, disability, marital status, national origin, genetic information, ancestry, children, receipt of public assistance, or any other basis prohibited by law in the selection of buyers for the Units; and the Project Sponsor shall not so discriminate in connection with the employment or application for employment of persons for the construction, operation or management of the Project.

7. (a) The Project Sponsor agrees to comply and to cause the Project to comply with all requirements of the Regulations and Guidelines and all other applicable laws, rules, regulations, and executive orders. EOHLIC and the Chief Executive Officer of the municipality shall have access during normal business hours to all books and records of the Project Sponsor and the Project in order to monitor the Project Sponsor's compliance with the terms of this Agreement.

(b) Throughout the term of this Agreement, the Chief Executive Officer shall annually certify in writing to EOHLIC that each of the Low- and Moderate-Income Units continues to be occupied by a person who was an Eligible Purchaser at the time of purchase; that any Low- and Moderate-Income Units which have been resold during the year have been resold in compliance with all of the terms and provisions of the Deed Rider then in effect with respect to each such Low- and Moderate-Income Unit, and in compliance with the Regulations and Guidelines and this Agreement; and that the Project and the Low- and Moderate-Income Units have otherwise been maintained in a manner consistent with the Regulations and Guidelines, this Agreement, and the Deed Rider then in effect with respect to each Low- and Moderate-Income Unit.

8. Upon execution, the Project Sponsor shall immediately cause this Agreement and any amendments hereto to be recorded/filed with the Registry, and the Project Sponsor shall pay

all fees and charges incurred in connection therewith. Upon recording or filing, as applicable, the Project Sponsor shall immediately transmit to EOHLC and the Municipality evidence of such recording or filing including the date and instrument, book and page or registration number of the Agreement.

9. The Project Sponsor hereby represents, covenants and warrants as follows:

(a) The Project Sponsor (i) is a nonprofit, 501c3 corporation, duly organized under the laws of the Commonwealth of Massachusetts, and is qualified to transact business under the laws of this State, (ii) has the power and authority to own its properties and assets and to carry on its business as now being conducted, and (iii) has the full legal right, power and authority to execute and deliver this Agreement.

(b) The execution and performance of this Agreement by the Project Sponsor (i) will not violate or, as applicable, has not violated any provision of law, rule or regulation, or any order of any court or other agency or governmental body, and (ii) will not violate or, as applicable, has not violated any provision of any indenture, agreement, mortgage, mortgage note, or other instrument to which the Project Sponsor is a party or by which it or the Project is bound, and (iii) will not result in the creation or imposition of any prohibited encumbrance of any nature.

(c) The Project Sponsor will, at the time of execution and delivery of this Agreement, have good and marketable title to the premises constituting the Project free and clear of any lien or encumbrance (subject to encumbrances created pursuant to this Agreement, any loan documents relating to the Project the terms of which are approved by EOHLC, or other permitted encumbrances, including mortgages referred in paragraph 10, below).

(d) There is no action, suit or proceeding at law or in equity or by or before any governmental instrumentality or other agency now pending, or, to the knowledge of the Project Sponsor, threatened against or affecting it, or any of its properties or rights, which, if adversely determined, would materially impair its right to carry on business substantially as now conducted (and as now contemplated by this Agreement) or would materially or adversely affect its financial condition.

10. (a) Except for sales of Low- and Moderate-Income Units to Eligible Purchasers and sales of other Units to unit owners in the ordinary course of business as permitted by the terms of this Agreement, the Project Sponsor will not sell, transfer, lease, or exchange the Project or any portion thereof or interest therein (collectively, a "Sale") or (except as permitted under Section (d) below) mortgage the Property without the prior written consent of EOHLC and the Municipality.

(b) A request for consent to a Sale shall include:

- A signed agreement stating that the transferee will assume in full the Project Sponsor's obligations and duties under this Agreement, together with a certification by the attorney or title company that it will be held in escrow and, in the case of any transfer other than a transfer of Beneficial Interests,

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recorded in the Registry of Deeds with the deed and/or other recorded documents effecting the Sale;

- The name of the proposed transferee and any other entity controlled by or controlling or under common control with the transferee, and names of any affordable housing developments in the Commonwealth owned by such entities;
- A certification from the Municipality that the Project is in compliance with the affordability requirements of this Agreement.

(c) Consent to the proposed Sale shall be deemed to be given unless EOHLC or the Municipality notifies the Project Sponsor within thirty (days) after receipt of the request that either

- The package requesting consent is incomplete, or
- The proposed transferee (or any entity controlled by or controlling or under common control with the proposed transferee) has a documented history of serious or repeated failures to abide by agreements of affordable housing funding or regulatory agencies of the Commonwealth or the federal government or is currently in violation of any agreements with such agencies beyond the time permitted to cure the violation, or
- The Project is not being operated in compliance with the affordability requirements of this Agreement at the time of the proposed Sale.

(d) The Project Sponsor shall provide EOHLC and the Municipality with thirty (30) day's prior written notice of the following:

- (i) any change, substitution or withdrawal of any general partner, manager, or agent of the Project Sponsor; or
- (ii) the conveyance, assignment, transfer, or relinquishment of a majority of the Beneficial Interests (herein defined) in the Project Sponsor (except for such a conveyance, assignment, transfer or relinquishment among holders of Beneficial Interests as of the date of this Agreement).
- (iii) the sale, mortgage, conveyance, transfer, ground lease, or exchange of the Project Sponsor's interest in the Project or any party of the Project.

For purposes hereof, the term "Beneficial Interest" shall mean: (i) with respect to a partnership, any partnership interests or other rights to receive income, losses, or a return on equity contributions made to such partnership; (ii) with respect to a limited liability company, any interests as a member of such company or other rights to receive income, losses, or a return on equity contributions made to such company; or (iii) with respect to a company or corporation, any

interests as an officer, board member or stockholder of such company or corporation to receive income, losses, or a return on equity contributions made to such company or corporation.

Notwithstanding the above, EOHLIC's consent under this Section 10 shall not be required with respect to the grant by the Project Sponsor of any mortgage or other security interest in or with respect to the Project to a state or national bank, state or federal savings and loan association, cooperative bank, mortgage company, trust company, insurance company or other institutional lender made at no greater than the prevailing rate of interest or any exercise by any such mortgagee of any of its rights and remedies (including without limitation, by foreclosure or by taking title to the Project by deed in lieu of foreclosure), subject, however to the provisions of Section 14 hereof.

The Project Sponsor hereby agrees that it shall provide copies of any and all written notices received by the Project Sponsor from a mortgagee exercising or threatening to exercise its foreclosure rights under the mortgage.

11. Until such time as decisions regarding repair of damage due to fire or other casualty, or restoration after taking by eminent domain, shall be made by a condominium association or trust not controlled by the Project Sponsor, (or if the Project consists of detached dwellings, by homebuyers) Project Sponsor agrees that if the Project, or any part thereof, shall be damaged or destroyed or shall be condemned or acquired for public use, the Project Sponsor will use its best efforts to repair and restore the Project to substantially the same condition as existed prior to the event causing such damage or destruction, or to relieve the condemnation, and thereafter to operate the Project in accordance with the terms of this Agreement, subject to the approval of the Project's lenders, which lenders have been approved by EOHLIC and the Municipality.

12. This Agreement shall be governed by the laws of the Commonwealth of Massachusetts. Any amendments to this Agreement must be in writing and executed by all of the parties hereto. The invalidity of any clause, part, or provision of this Agreement shall not affect the validity of the remaining portions hereof.

13. All notices to be given pursuant to this Agreement shall be in writing and shall be deemed given when delivered by hand or when mailed by certified or registered mail, postage prepaid, return receipt requested, to the parties hereto at the addresses set forth below, or to such other place as a party may from time to time designate by written notice:

EOHLIC: Executive Office of Housing and Livable Communities
Attention: Local Initiative Program Director
100 Cambridge Street, Suite 300
Boston, MA 02114

Municipality: Town of Concord Planning Division
Attention: Alyssa Sandoval, Community Development Director
141 Keyes Road, First Floor
Concord, MA 01742

Project Sponsor: Habitat for Humanity of Greater Lowell, Inc.
Attention: Sheilagh Carlisle, Executive Director
68 Tadmuck Road, Unit 1
Westford, MA 01886

14. (a) This Agreement and all of the covenants, agreements and restrictions contained herein shall be deemed to be an affordable housing restriction as that term is defined in G.L. c. 184, § 31 and as that term is used in G.L. c.184, § 26, 31, 32 and 33. This Agreement shall bind, and the benefits shall inure to, respectively, the Project Sponsor and its successors and assigns, and EOHLC and its successors and assigns and the Municipality and its successors and assigns. EOHLC has determined that the acquiring of such affordable housing restriction is in the public interest. The term of this Agreement shall be perpetual, provided however, that this Agreement shall terminate if (a) at any time hereafter there is no Low- and Moderate-Income Unit at the Project which is then subject to a Deed Rider containing the Resale Restrictions, and there is no Low- and Moderate-Income Unit at the Project which is owned by the Municipality or EOHLC as provided in Section 4 hereof. ~~The rights and restrictions contained in this Agreement shall not lapse if the Project is acquired through foreclosure or deed in lieu of foreclosure or similar action, and the provisions hereof shall continue to run with and bind the Project.~~

(b) The Project Sponsor intends, declares and covenants on behalf of itself and its successors and assigns (i) that this Agreement and the covenants, agreements and restrictions contained herein shall be and are covenants running with the land, encumbering the Project for the term of this Agreement, and are binding upon the Project Sponsor's successors in title, (ii) are not merely personal covenants of the Project Sponsor, and (iii) shall bind the Project Sponsor, its successors and assigns and enure to the benefit of EOHLC and its successors and assigns for the term of the Agreement. Project Sponsor hereby agrees that any and all requirements of the laws of the Commonwealth of Massachusetts to be satisfied in order for the provisions of this Agreement to constitute restrictions and covenants running with the land shall be deemed to be satisfied in full and that any requirements of privity of estate are also deemed to be satisfied in full.

(c) The Resale Restrictions contained in each of the Deed Riders which are to encumber each of the Low- and Moderate-Income Units at the Project pursuant to the requirements of this Agreement shall also constitute an affordable housing restriction as that term is defined in G.L. c. 184, §31 and as that term is used in G.L. c. 184, §§26, 31, 32, and 33. Such Resale

Deleted : [For comprehensive permit projects add: or (b) if a Comprehensive Permit is not granted to the Project Sponsor for the Project by either the Municipality's Board of Appeals (as that term is defined in the Regulations) or by the Housing Appeals Committee (as that term is used in the Act) within a period of eighteen months from the date of execution of this Agreement, or (c) if at any time the Comprehensive Permit is revoked and all applicable appeal periods with respect to such revocation have expired].

Restrictions shall be for the benefit of both EOHLC and the Municipality and both EOHLC and the Municipality shall be deemed to be the holder of the affordable housing restriction created by the Resale Restrictions in each of the Deed Riders. EOHLC has determined that the acquiring of such affordable housing restriction is in the public interest. To the extent that the Municipality is the holder of the Resale Restrictions to be contained in each of the Deed Riders, the Director of EOHLC by the execution of this Agreement hereby approves such Resale Restrictions in each of the Deed Riders for the Low- and Moderate-Income Units of the Project as required by the provisions of G.L. c. 184, §32.

15. The Project Sponsor and the Municipality each agree to submit any information, documents, or certifications requested by EOHLC which EOHLC shall deem necessary or appropriate to evidence the continuing compliance of the Project Sponsor and the Municipality with the terms of this Agreement.

16. (a) The Project Sponsor and the Municipality each covenant and agree to give EOHLC written notice of any default, violation or breach of the obligations of the Project Sponsor or the Municipality hereunder, (with a copy to the other party to this Agreement) within seven (7) days of first discovering such default, violation or breach (a "Default Notice"). If EOHLC becomes aware of a default, violation, or breach of obligations of the Project Sponsor or the Municipality hereunder without receiving a Default Notice from Project Sponsor or the Municipality, EOHLC shall give a notice of such default, breach or violation to the offending party (with a copy to the other party to this Agreement) (the "EOHLC Default Notice"). If any such default, violation, or breach is not cured to the satisfaction of EOHLC within thirty (30) days after the giving of the Default notice by the Project Sponsor or the Municipality, or if no Default Notice is given, then within thirty (30) days after the giving of the EOHLC Default Notice, then at EOHLC's option, and without further notice, EOHLC may terminate this Agreement, or EOHLC may apply to any state or federal court for specific performance of this Agreement, or EOHLC may exercise any other remedy at law or in equity or take any other action as may be necessary or desirable to correct non-compliance with this Agreement.

(b) If EOHLC elects to terminate this Agreement as the result of a breach, violation, or default hereof, which breach, violation, or default continues beyond the cure period set forth in this Section 16(a), then the Low- and Moderate-Income Units and any other Units at the Project which have been included in the Subsidized Housing Inventory shall from the date of such termination no longer be deemed SHI Eligible Housing for the purposes of the Act and shall be deleted from the Subsidized Housing Inventory. The foregoing sentence shall not apply to Low- and Moderate-Income Units that have been conveyed in compliance and remain in compliance with Section 3 of this Agreement.

17. The Project Sponsor represents and warrants that it has obtained the consent of all existing mortgagees of the Project to the execution and recording of this Agreement and to the terms and conditions hereof and that all such mortgagees have executed the Consent and Subordination of Mortgage to Regulatory Agreement attached hereto and made a part hereof.

18. EOHLC may delegate to the Municipality any of its oversight and enforcement responsibilities under this Agreement, with the agreement of the Municipality, by providing written notice of such delegation to the Project Sponsor and the Municipality.

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Deleted: [For comprehensive permit projects add:]

¶
→ 19.→ (a)→ When executed by EOHLC, this Agreement shall constitute Final Approval of the Project as described in 760 CMR 56.04(7). EOHLC hereby reaffirms and incorporates by reference in this Agreement each of the findings with respect to project eligibility required by 760 CMR 56.04(1) made in the Site Eligibility Letter for the Project dated _____.] **[If the Project Sponsor is a for-profit entity add:** The Project Sponsor hereby explicitly acknowledges its obligation to comply with the cost examination requirements defined in 760 CMR 56.04(8).]¶

[If the Project Sponsor is a for-profit entity add:]

¶
(b)→ The Project Sponsor has provided financial surety in a form and in the amount required by the Guidelines to ensure completion of the cost examination to the satisfaction of the EOHLC and the distribution of excess funds as required at 760 CMR 56.04(8)(c). EOHLC will provide a copy of this Agreement to the Municipality's Board of Appeals as required by 760 CMR 56.04(7).]¶

Executed as a sealed instrument as of the date first above written.

PROJECT SPONSOR
HABITAT FOR HUMANITY OF GREATER
LOWELL, a Massachusetts nonprofit corporation

By: _____
Name: Sheilagh Carlisle
Its: Executive Director

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EXECUTIVE OFFICE OF HOUSING AND
LIVABLE COMMUNITIES

By: _____
Its: _____

MUNICIPALITY
Town of Concord

By: _____
Name: Mark Howell
Its: Chief Executive Officer

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Attachments: Exhibit A - Legal Property Description
Exhibit B - Prices & Location of Low & Moderate Income Units
Exhibit C - Form of Deed Rider

Consent forms signed by any and all mortgagees whose mortgages are recorded prior to this Regulatory Agreement must be attached to this Regulatory Agreement.

© EOHLC When used in the Local Initiative Program, this form may not be modified without the written approval of the Executive Office of Housing and Livable Communities.

COMMONWEALTH OF MASSACHUSETTS

COUNTY OF _____, ss.

On this _____ day of _____, 20__, before me, the undersigned notary public, personally appeared _____, proved to me through satisfactory evidence of identification, which were _____, to be the person whose name is signed on the preceding document, as Executive Director of the Habitat for Humanity of Greater Lowell, Inc. and acknowledged to me that he/she signed it voluntarily for its stated purpose.

Deleted: [Project Sponsor]

Notary Public
My Commission Expires:

COMMONWEALTH OF MASSACHUSETTS

COUNTY OF SUFFOLK, ss.

On this _____ day of _____, 20__, before me, the undersigned notary public, personally appeared _____, proved to me through satisfactory evidence of identification, which were _____, to be the person whose name is signed on the preceding document, as _____ for the Commonwealth of Massachusetts acting by and through the Executive Office of Housing and Livable Communities, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

Notary Public
My Commission Expires:

COMMONWEALTH OF MASSACHUSETTS

COUNTY OF _____,ss. _____, 20__

On this _____ day of _____, 20__, before me, the undersigned notary public, personally appeared Mark Howell, proved to me through satisfactory evidence of identification, which were _____, to be the person whose name is signed on the preceding document, as Chief Executive Officer for the Town of Concord, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

Deleted: City/

Notary Public
My Commission Expires:

N/A

EXHIBIT A

Re: Assabet River Homes
(Project name)
Concord
(City/Town)
Habitat for Humanity of Greater Lowell, Inc.
(Developer)

Property Description

A certain parcel of land shown as "Lot 2A" on a plan entitled "Subdivision Approval Not Required Plan of Land 2B Upland Road & 406 Old Marlboro Road" dated June 9, 2022 Prepared by GCG Associates, Inc. and recorded with the Middlesex South District Registry of Deeds as Plan 532 of 2022.

Containing an area of 1 acre, more or less, according to said plan.

Also shown on the plan entitled "Condominium Site Plan 406 A&B Old Marlboro Road Concord, Massachusetts" dated April 2, 2025, prepared by Meisner Brem Corporation, and recorded with the Middlesex South District Registry of Deeds as Plan 271 of 2025.

Subject to and with the benefit of easements, restrictions and agreements of record, if any, insofar as the same are now in force and applicable.

For title see Deed recorded with the Middlesex South District Registry of Deeds in Book 80551, Page 355.

Deleted: CONSENT AND SUBORDINATION OF MORTGAGE TO REGULATORY AGREEMENT

Reference is hereby made to a certain Mortgage dated _____ given by _____ to _____, recorded with the _____ Registry of Deeds at Book _____, Page _____ ("Mortgage").

The Undersigned, present holder of said Mortgage, hereby recognizes and consents to the execution and recording of this Agreement and agrees that the aforesaid Mortgage shall be subject and subordinate to the provisions of this Agreement, to the same extent as if said Mortgage had been registered subsequent thereto. The Undersigned further agrees that in the event of any foreclosure or exercise of remedies under said Mortgage it shall comply with the terms and conditions hereof.

→→→→→ [NAME OF LENDER]

→→→→→ By: _____

→→→→→ Its: _____

(If the Project has more than one mortgagee, add additional consent forms.)

COMMONWEALTH OF MASSACHUSETTS

COUNTY OF _____, ss. →→→→→ _____, 20__

→ On this _____ day of _____, 20__, before me, the undersigned notary public, personally appeared _____, proved to me through satisfactory evidence of identification, which were _____, to be the person whose name is signed on the preceding document, as _____ of _____ Bank, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

Notary Public
My Commission Expires:

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EXHIBIT B

Re: Assabet River Homes
 (Project name)
Concord
 (City/Town)
Habitat for Humanity of Greater Lowell, Inc.
 (Developer)

Maximum Selling Prices, Initial Condominium Fees, and Percentage Interest Assigned to Low- and Moderate-Income Units

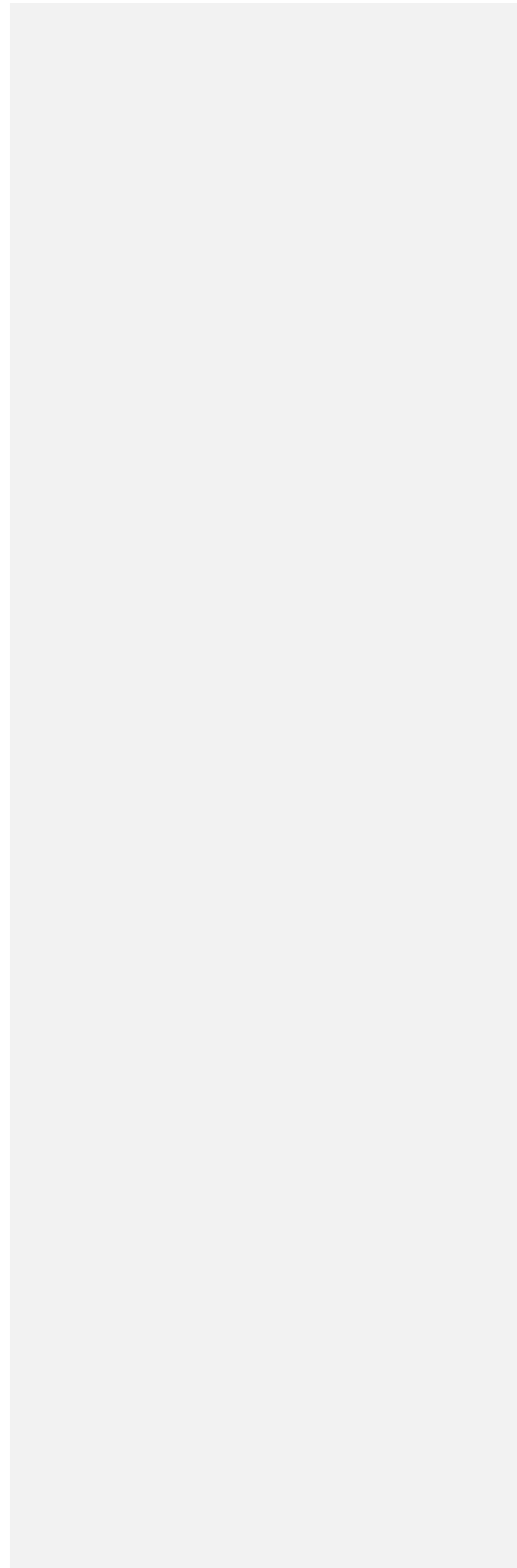
	<u>Sales Price</u>	<u>Condo Fee</u>	<u>% Interest</u>
One-bedroom units	\$ _____	\$ _____	_____
Two-bedroom units	\$ _____	\$ _____	_____
Three-bedroom units	\$ <u>294,700</u>	\$ <u>300</u>	<u>25%</u>
Four-bedroom units	\$ <u>321,000</u>	\$ <u>300</u>	<u>25%</u>

Location of Low- and Moderate-Income Units

The housing units which are Low- and Moderate-Income Units are those designated as lot/unit numbers #26, #36, #48 on:

- a site plan entitled Condominium Site Plan 406 A&B Old Marlboro Road Concord, Massachusetts, recorded with the Middlesex South District Registry of Deeds in Book 2025, Page 271.
- floor plans recorded with the Master Deed of the _____ recorded with the _____ Registry of Deeds in Book _____, Page _____.

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Middlesex South Registry of Deeds
Electronically Recorded Document

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Recording Information

Document Number	: 53466
Document Type	: DECIS
Recorded Date	: May 23, 2024
Recorded Time	: 11:08:33 AM
Recorded Book and Page	: 82802 / 49
Number of Pages(including cover sheet)	: 14
Receipt Number	: 2999737
Recording Fee	: \$105.00

Middlesex South Registry of Deeds
Maria C. Curtatone, Register
208 Cambridge Street
Cambridge, MA 02141
617-679-6300
www.middlesexsouthregistry.com



**TOWN OF CONCORD
BOARD OF APPEALS
141 KEYES ROAD
CONCORD, MASSACHUSETTS 01742**

DECISION of the Zoning Board of Appeals (the Board) on the application by the Concord Housing Development Corporation for a Special Permit and Site Plan Review under Zoning Bylaw Sections 10, 11.6, and 11.8 for a 5-unit Planned Residential Development at 406 Old Marlboro Road (Parcel # 2732). See deed at Book 80551, Page 355.

This decision is in response to an application filed on December 14, 2023. After causing notice of the time and place of the public hearing and of the subject matter thereof to be published in *The Concord Bridge* on November 24, 2023, and December 1, 2023, posted and mailed to the Applicant, abutters and other parties of interest as required by law, the public hearing was opened on December 14, 2023 and continued to January 18, 2024 and March 28, 2024.

After due consideration of the application, the record, a presentation by the Applicant, comments from the public and Town staff, a favorable recommendation by the Planning Board and based upon review of the issues set forth herein, the Board voted 3 to 0 (Kindermans, Akehurst- Moore, Faiia) to GRANT on March 28, 2024 the Special Permit based on the following findings:

The Applicant is proposing a Planned Residential Development project that consists of an existing two-family dwelling consisting of two 1-bedroom apartments and the construction of three single-family dwellings consisting of two 3-bedroom dwellings and one 4-bedroom dwelling, for a total of five units. All the units will gain access to the Project Site ("Site") from Old Marlboro Road. The Site will be served by Town water and electric. The two-family and each single-family dwelling will have an individual on-site sewage disposal system. Stormwater drainage will be handled using catch basins and a subsurface infiltration system. The Site is in the Residence AA Zoning District with 43,560 sq. ft. and approximately 112 feet of frontage on Old Marlboro Road.

In reviewing the application, the Board evaluated the following sections of the Zoning Bylaw:

II. Zoning Bylaw Review - Section 10 Planned Residential Development

10.2.6 Access to the Tract: *Access to the tract shall be provided from an existing public or private way and shall be through the existing frontage on such public or private way.*

The Site will be accessed from an existing curb cut off Old Marlboro Rd. to the left of the two-family. There is a second existing curb cut to the right of the existing two-family dwelling, directly adjacent to the Bruce Freeman Rail Trail crossing on Old Marlboro Rd. that will be removed. The CPW Engineering Division has reviewed the plans and does not have any issues or concerns with the proposed access roadway location. To assist with emergency vehicle response, the Fire Department has requested that the access roadway be a named and the three new dwellings be addressed off that named roadway. The Planning Board recommended a condition that the Applicant provide three proposed roadway names for review and approval by the Historical Commission and the Fire Department prior to commencement of any site work.

406 Old Marlboro Rd., Concord

10.2.7 Height: *The maximum permitted height of any structure within a PRD shall be thirty-five (35) feet. The Board may grant relief from the maximum height of a building provided the Board finds that the desired relief may be granted without substantial detriment to the neighborhood and without derogating from the intent and purpose of this Bylaw.*

The existing two-family and the proposed three single family dwellings are under 35 ft. in height.

10.3.2 Special provisions for non-profit entity: *Except as provided for in subsection 10.2.6 and 10.2.7 above, the limitations contained in subsection 10.2 shall not apply to a PRD application submitted by a Non-profit entity in which seventy-five percent (75%) of the units will be of the type described in subsection 10.2.3.1 and 10.2.3.2 provided that the Board shall find that the proposed design is generally in keeping with the purposes of this Bylaw.*

The Applicant is proposing that the existing duplex be owned by the Concord Housing Authority, who will lease the units to low-income tenants under their Project-Based Voucher Program (PBV), as well as managing and maintaining the condominium association and its accounts. The three new single-family dwellings will be deed restricted as affordable at 80% Area Medium Income (AMI) and will be added to the Town's Subsidized Housing Inventory.

10.4.1.1 Development Statement: *A development statement consisting of a petition, a list of the parties in interest with respect to the PRD tract, a list of the development team and a written statement meeting the requirements of a site evaluation statement under the Subdivision Rules and Regulations of the Planning Board, and setting forth the development concept including in tabular form the number of units, type, size (number of bedrooms, floor area), ground coverage, and summary showing the area of residential development and common open space as percentages of the total area of the PRD tract.*

The following is a breakdown of the development concept:

Unit	Type	Size (first floor, second floor & basement)	# of Bedrooms
406 Old Marlboro Rd Unit A	Two-family	746 sq. ft. (first floor only. 520 sq. ft. shared basement)	1
406 Old Marlboro Rd Unit B	Two-family	520 sq. ft. (second floor only. 520 sq. ft. shared basement)	1
New Unit #C	Single family dwelling	2,079 sq. ft. (1,062, 1,017 & unfinished basement with mechanical room)	3
New Unit #D	Single family dwelling	1,980 sq. ft. (1,060, 920 & unfinished basement with mechanical room)	3
New Unit #E	Single family dwelling	2,214 sq. ft. (1,107, 1,107 & unfinished basement with mechanical room)	4

The Site is one acre that was divided off from a larger parcel with the remaining 6 acres being permanently protected as conservation land owned by the Town through the Natural Resources Commission with a Conservation Restriction jointly held by the Concord Land Conservation Trust and the Sudbury Valley Trustees. The open space within the one-acre site is approximately 10,598 sq. ft. or 24.3%. The proposed project does not include any work within a wetland or floodplain area.

The proposed stormwater management system includes a subsurface infiltration system for the paved areas and roof for the three new dwellings that is designed to collect, convey, treat, filter, and control stormwater discharges associated with the development in accordance with applicable state and Town of Concord requirements. The stormwater management system incorporates Low Impact Development (LID) design methods, which include minimizing impervious surfaces, substantial infiltration systems, and water quality units. The stormwater management system will control runoff to maintain the existing hydrologic conditions and provide water treatment. The CPW Engineering Division has reviewed the stormwater drainage plan and report and, in a March 4, 2024 memo, finds that all issues and concerns regarding the stormwater drainage have been addressed. To ensure adequate erosion control measures and protection of surface and groundwater quality and level, the Planning Board recommends standard conditions regarding soil testing, inspection of the installation of the subsurface infiltration systems, stormwater pollution plan and long-term maintenance be incorporated into any decision granting approval.

The existing two-family dwelling and the three new single-family dwellings will be served by private on-site sewage disposal systems that have been sited to meet the Concord Board of Health Local Regulation. The Health Division has noted that the systems have been reviewed and approved, but the permit will not be issued until the street naming and numbering is issued so that each permit can be associated with the correct dwelling.

The existing two-family dwelling was constructed in 1896 and is being retained and renovated.

The proposed project adds only three new dwellings, which does not represent a significant impact to existing traffic. The Applicant is proposing to remove one existing driveway curb cut adjacent to the existing Bruce Freeman Rail Trail crossing over Old Marlboro Road, which represents a safety improvement. The CPW Engineering Division has reviewed the plans and confirmed there is adequate sight distance from the driveway in both directions on Old Marlboro Road, but the Applicant needs to demonstrate that the new utility pole location will not significantly obstruct the view of the driver making a left turn onto Old Marlborough Road, which should be a condition of approval.

There will be a minimal increase in demand from three additional dwelling units on schools, police, fire, Town water and electricity and recreational facilities.

In a November 20, 2023 memo, the Fire Department requested the Applicant provide a CAD drawing showing that the turnaround for the Department's apparatus is adequate and recommends standard conditions to address other minor issues and concerns. The Applicant

provided the CAD drawing and, in a March 21, 2024 memo, the Fire Department finds that the proposed hammerhead turnaround provides adequate turning for emergency vehicles.

In a November 28, 2023 memo, the CPW Water & Sewer Division notes that the existing water service is over 50 years old and will have to be replaced as part of the project. To address other minor issues and concerns, standard conditions of approval are recommended.

The Applicant is a local non-profit housing development corporation that will be transferring ownership of the existing two-family to the Concord Housing Authority and deed-restricting the three new single-family dwellings as affordable at 80% AMI. The associated revenues to the Town from this development will likely be less than the direct costs to the Town. However, the 2022 Annual Town Meeting overwhelmingly supported the \$2.9 million Assabet River Bluff 7-acre property purchase for both open space and affordable housing purposes. The housing portion (1 acre, \$1 million) was purchased with Community Preservation Act (CPA) funds and funds from the Concord Municipal Affordable Housing Trust (CMAHT). This project meets many Town-wide goals and, as evidenced by the actions of Town Meeting, is strongly supported.

10.4.1.2 Development plans: The Applicant has submitted full Development Plans that include site plans, building elevations, floor plans, and landscape plans.

10.4.2 Planning Board Report and Recommendations: *The Planning Board shall review the development statement and plans and shall submit in writing to the Board its report and recommendations upon the technical quality of the proposed development, and at least the following:*

10.4.2.1 General descriptions of the natural terrain of the PRD tract and surrounding areas, and of the neighborhood in which the tract is situated.

The Site is one acre that contains an existing two-family dwelling with the remaining portion of the site being undeveloped woodland. To the north is Town conservation land that abuts the Assabet River. To the south and east is the Bruce Freeman Rail Trail. Across Old Marlboro Rd. and to the west is existing residential development.

10.4.2.2 A review of the proposed development, including the design and use of buildings and of the open spaces between and around them, of pedestrian and vehicular circulation, of the location and capacity of parking, and of the provisions for grading, landscaping and screening.

The Planning Board believes that the proposed development has been designed in a manner that preserves the existing two-family dwelling and allows for the construction of three additional affordable units on an acre of land, which allowed for the preservation of 6 acres of open space. Vehicular safety is being improved with the removal of an existing driveway curb cut closest to the Bruce Freeman Rail Trail crossing on Old Marlboro Road. The CPW Engineering Division has reviewed the plans and confirmed there is adequate sight distance from the driveway in both directions on Old Marlboro Road, but the Applicant needs to demonstrate that the new utility pole location will not significantly obstruct the view of the driver making a left turn onto Old Marlborough Road, which should be a condition of approval. The proposed plans provide

adequate provisions for grading, landscaping, and screening and the Board agrees with the Planning Board recommendation and finds this criterion has been met.

10.4.2.3 An evaluation and opinion upon the degree to which the proposed PRD provides a range of diversity and the size of the units as it relates to increased density that may be permitted by the Board.

The proposed project provides a range in the diversity and size of the units through the preservation of the existing two-family dwelling which contains two 1-bedroom apartments and the construction of two 3-bedroom dwellings and one 4-bedroom dwelling. The square footage of the dwellings ranges from 520 sq. ft. to 2,214 sq. ft. The Board agrees with the Planning Board recommendation and finds this criterion has been met.

10.4.2.4 An evaluation and opinion upon the degree to which any land intended to be conveyed to, or restricted for the benefit of, the Town:

(a) Provides or will in the future provide an addition to areas of open space between developed sections of the Town;

(b) Makes available land desirable for future public use; or

(c) Conforms to the Town's long-range land use plan.

The Site is one acre that was divided off from a larger parcel with the remaining 6 acres being permanently protected as conservation land owned by the Town through the Natural Resources Commission with a Conservation Restriction jointly held by the Concord Land Conservation Trust and the Sudbury Valley Trustees. The 2022 Annual Town Meeting overwhelmingly supported the \$2.9 million Assabet River Bluff 7-acre property purchase for both open space and affordable housing purposes. The housing portion (1 acre, \$1 million) was purchased with CPA funds and funds from the Concord Municipal Affordable Housing Trust (CMAHT). This project meets many Town-wide goals and, as evidenced by the actions of Town Meeting, is strongly supported. The Board agrees with the Planning Board recommendation and finds the proposed project meets all these criteria.

10.4.2.5 Its opinion as to whether the proposed site design, development layout, number, type and design of housing constitute a suitable development for the neighborhood within which it is located.

The Board agrees with the Planning Board recommendation and finds that the proposed site design, development layout, number, type, and design of housing constitute a suitable development for the neighborhood within which it is located.

10.4.2.6 Recommendations for the granting or denial of the special permit, including recommendations for modifications, restrictions or requirements to be imposed as a condition of granting the special permit.

In a memo dated March 26, 2024, the Planning Board recommended approval of the PRD Special Permit with conditions, which have been incorporated into the Board's decision as noted below.

11.8.5 Site Plan Review: *In reviewing the site plan submittal, the following matters shall be considered:*

(a) Protection of adjoining premises against seriously detrimental uses by provision for surface water drainage, sound and sight buffers, and preservation of views, light and air;

The proposed landscape plan includes landscaping and fencing to provide screening of the project. CPW Engineering has reviewed the proposed stormwater drainage plans and report and has no issues or concerns. The Board agrees with the Planning Board recommendation and finds that with the incorporation of recommended conditions, the proposed project provides for adequate protection of adjoining premises against seriously detrimental uses by provision for surface water drainage, sound and sight buffers, and preservation of views, light and air.

(b) Convenience and safety of vehicular and pedestrian movement within the site, the location of driveway openings in relation to traffic or to adjacent streets and, when necessary, compliance with other regulations for the handicapped, minors and the elderly;

The Site will be accessed from an existing curb cut off Old Marlboro Rd. to the left of the two-family dwelling. There is a second existing curb cut to the right of the existing two-family dwelling, directly adjacent to the Bruce Freeman Rail Trail crossing on Old Marlboro Rd. that will be removed, which represents a safety improvement. The CPW Engineering Division has reviewed the plans and does not have any issues or concerns with the proposed access roadway location. The Board agrees with the Planning Board recommendation and finds that with the incorporation of conditions, the proposed project provides for the convenience and safety of vehicular and pedestrian movement within the site and for adequate location of driveway openings in relation to traffic or to adjacent streets and complies with other regulations for the handicapped, minors and the elderly.

(c) Adequacy of the methods of disposal of refuse and other wastes resulting from the uses permitted on the site;

The existing two-family dwelling and the three new single-family dwellings will be served by private on-site sewage disposal systems that have been sited to meet the Concord Board of Health Local Regulation. The Health Division has noted that the systems have been reviewed and approved, but the permit will not be issued until the street naming and numbering is issued so that each permit can be associated with the correct dwelling. Solid waste and recycling will be handled in a similar manner as for any other residential neighborhood. The Board agrees with the Planning Board recommendation and finds that with the incorporation of conditions, the proposed project provides for adequate methods of disposal of refuse and other wastes resulting from the uses permitted on the site.

(d) Adequacy of the arrangement of parking and loading spaces in relation to the proposed uses of the premises;

One and one half (1 ½) spaces per dwelling unit for subsidized low- and moderate-income housing for one and two-family dwellings is required. The proposed project provides three parking spaces for the two-family dwelling and two spaces for each single-family dwelling for a total of 9 parking

spaces. The Board agrees with the Planning Board recommendation and finds that the proposed project provides adequate parking for the five dwelling units and that loading spaces are not required.

(e) Adequacy of the method of exterior lighting for convenience, safety and security within the site and for protection of neighboring properties, roadways and the night sky;

The Applicant is not proposing any streetlights along the roadway and is proposing only exterior building-mounted lighting that will be dark sky compliant. The Board agrees with the Planning Board recommendation and that finds with the incorporation of conditions, the proposed project provides adequate exterior lighting for convenience, safety and security within the site and for protection of neighboring properties, roadways and the night sky.

(f) Relationship of structures and open spaces to the natural landscape, existing buildings and other community assets in the area and compliance with other requirements of this Bylaw;

The Site is one acre that was divided off from a larger parcel with the remaining 6 acres being permanently protected as conservation land owned by the Town through the Natural Resources Commission. The proposed project preserves the existing two-family dwelling, which will be transferred to the Concord Housing Authority. The Board agrees with the Planning Board recommendation and finds that with the incorporation of conditions, the proposed project takes into consideration the relationship of structures and open spaces to the natural landscape, existing buildings and other community assets in the area and complies with other requirements of this Bylaw.

(g) Impact on the Town's resources including the effect of the Town's water supply and distribution system, sewage collection and treatment, fire protection, and streets.

The proposed roadway for the project will be a private way so there will be no impact on the Town for maintenance or plowing. The proposed project will not be served by the Town's sewage collection and treatment. In a March 21, 2024 memo, the Fire Department finds that the proposed hammerhead turnaround provides adequate turning for emergency vehicles recommends standard conditions. There are two existing driveway curb cuts onto Old Marlboro Road. The proposed project will eliminate one of the curb cuts closest to the Bruce Freeman Rail Trail crossing of Old Marlboro Road, which represents a safety improvement. The Board agrees with the Planning Board recommendation and finds that with the incorporation of conditions, the proposed project provides adequate fire protection and will have minimal impact on the Town's water supply and distribution system or streets.

(h) Incorporation of sustainability and resiliency principles into the site design that result in a plan that is responsive to the environment and actively contributes to the development of a more sustainable community.

The proposed project is part of an open space and affordable housing partnership that has allowed for the preservation of 6 acres of open space along the Assabet River and the development of 5 affordable units clustered on an acre of land. The existing two-family has already been converted to electric heat pumps and the three new single-family dwellings will also

be all-electric. The Board agrees with the Planning Board recommendation and finds that with the incorporation of conditions, the proposed project incorporates sustainability and resiliency principles into the site design that result in a plan that is responsive to the environment and actively contributes to the development of a more sustainable community.

For the reasons and findings stated above, the Board grants the Assabet Homes Planned Residential Development Special Permit subject to the following conditions:

1. Approval is based on the following plans prepared for a Planned Residential Development at 406 Old Marlboro Road, Concord MA

Dillis & Roy Civil Design Group, 1 Main St., Suite 1, Lunenburg, MA 01462

- a) Sewage Disposal Plan, Sheet 1AB, 1C, 1D, 1E, and Sheet 2 dated 2/23/24
- b) Master Plan (Sheet 3), Site Development Plan (Sheet 4), Utility Plan (Sheet 5), Construction Details (Sheet 6) & Erosion & Sedimentation Control Plan (Sheet 7), all dated 2/15/24

Elise Braceras Stone, Architects, 288 Old Marlboro Rd., Concord, MA 01742

- c) Assabet River Homes Building 1; First Floor, Second Floor, Elevations & Basement, Sheet 1-1 to 1-4 dated 1/3/24
- d) Assabet River Homes Building 2; First Floor, Second Floor, Elevations & Basement, Sheet 2-1 to 2-3 dated 1/3/24
- e) Assabet River Homes Building 3; First Floor, Second Floor, Elevations & Basement, Sheet 3-1 to 3-4 dated 1/3/24

Lemon Brooke Landscape Architect, 10 Concord Crossing #240, Concord, MA 01742

- f) Materials, Planting & Details Plans, Sheet L-100 & L-200, dated 2/28/24

2. **At no time** shall construction vehicles be permitted to park on Old Marlboro Road or Upland Road or impede pedestrian access along the sidewalk.
3. **Prior to the commencement of any site work**, the Applicant shall submit to the Town Planner for distribution to Town Departments for review and approval a Construction Safety and Sequencing Plan for the site. The plan shall include the location of construction trailers, dumpsters and porta-potties, construction material delivery and laydown areas, location of construction employee parking areas, locations where construction vehicles will enter and exit the site, and location of soil stockpile areas, safety protection measures and fencing employed to protect the movement of pedestrians and vehicles within the site and along the adjacent roadways. The plan shall be developed for all phases required during construction.
4. **Prior to the commencement of any site work**, the Applicant shall install the erosion and sedimentation controls and coordinate through the Town Planner a pre-construction meeting with Town staff to review proposed work and safety fencing and protocols shown on the Construction Safety and Sequencing Plan. Following the meeting, the Applicant shall install all required safety fencing and protocols to the satisfaction of the Fire Department.

5. **Prior to commencement of any site work**, the Applicant shall meet with Water & Sewer Division to review the proposed scope of water utility work, which shall include the replacement of any service that is over 50 years old, and sufficiently demonstrate that:
 - a. Existing and new water infrastructure can be assessed, updated, and constructed in accordance with the Water & Sewer Division's design and construction standards.
 - b. The proposed water system design includes a "dead-ended" water main extension which does not conform to industry best practices and policies adopted by the Public Works Commission. Looping water mains, whenever feasible and practicable, is a longstanding policy of the Public Works Commission, driven by the associated benefits of the practice for water quality. Deviation from this policy would require separate review and approval through the Public Works Commission.
 - c. Water demands can be minimized via demand management tools that shall be codified in a Water Use Impact Report (conservation plan) and Water Customer Data Sheet.
 - d. Lawn irrigation system(s), if proposed, can be installed in accordance with the Town of Concord Rules and Regulations Governing Water Use and Connection. A lawn irrigation system is subject to an additional connection fee and shall be registered with the Water & Sewer Division and be operated in accordance with the Town of Concord Water Use Restriction Bylaw.
 - e. The Applicant shall provide clarification to the Water & Sewer Division, and if necessary, appropriate easement language clarifying ownership and associated inspection, maintenance, and replacement responsibilities for the proposed 8" water main presently shown within this property. Any required easement shall be recorded at the registry of deeds.
6. **Prior to the commencement of any site work**, the Applicant shall provide three proposed roadway names to the Town Planner, Fire Department and Historical Commission for review and selection of an acceptable roadway name.
7. **Prior to the commencement of any site work**, the Applicant shall submit to CMLP Engineering for review and approval all necessary plans and documents required for the extension of electrical service to the project.
8. **Prior to the commencement of any site work**, the Applicant shall provide a copy of the EPA's Notice of Intent General Permit (NPDES) and executed Stormwater Pollution Prevention Plan (SWPPP), and the Erosion Control Plan (ECP), to the CPW Engineering Division for review and approval. Both a hard copy and electronic (pdf) copy shall be provided to CPW Engineering Division.
9. **Prior to the commencement of any site work**, the Applicant shall coordinate with CPW Engineering and CMLP on the relocation of the utility pole to ensure that it does not significantly block sight distance along Old Marlboro Road from the driveway.
10. **Prior to the commencement of any site work or issuance of a Building Permit**, the Applicant's contractor shall file a Right-of-Way (ROW) permit with the CPW Engineering

Division for the proposed work within Main Street ROW. All work within ROW shall conform to the Concord Public Works Design & Construction Standards & Details.

11. **Prior to the commencement of any site work**, the Applicant shall set up a site meeting with Concord Public Works, Verizon, Comcast, and CMLP to determine the feasibility of relocating utility pole #36 Old Marlboro Rd. Should a proposed acceptable pole location be determined, the relocation of this pole will require approval from the Town of Concord Select Board as this pole would be relocated more than three feet from its existing location. As this pole falls within CMLP's pole set area, CMLP would petition and present the relocation of this pole at a Select Board Hearing. Should the Select Board approve this petition, CMLP would set the new pole at the Applicant's expense. Subsequently each utility provider is responsible for transferring their respective utilities to the new pole or rebuild their overhead lines as necessary to complete the transfer work. Any applicable expenses would be the responsibility of the Applicant.
12. **Prior to the commencement of any site work or issuance of any Building Permit**, the Applicant shall record with the Middlesex South Registry of Deeds the Special Permit Decision and provide a copy of the recorded decision to the Building Inspections Division and Town Planner.
13. **Prior to the issuance of any Building Permit**, the Applicant shall submit to the Fire Department for review and approval a 241 Construction Fire Safety Plan.
14. **Prior to the issuance of any Building Permit**, the Applicant shall contact CMLP Engineering to set up a site meeting to review the proposed project.
15. **Prior to the issuance of any Building Permit**, the Applicant shall submit a Form C to the Health Division for review and receive a permit from the Board of Health for an on-site sewage disposal system designed in complete conformance with 310 CMR 15.00, the State Environmental Code, Title 5, and Concord Board of Health regulations. If it is determined that the on-site sewage disposal system design flow requires approval by the Massachusetts Department of Environmental Protection (MassDEP), the Applicant shall provide evidence of MassDEP approval prior to the issuance of a Building Permit.
16. **Prior to the issuance of any Building Permit**, the Applicant shall provide CMLP a digital copy of the utility plans in AutoCAD format. Plans shall include applicable site, utility, and electrical riser/line diagrams. This will allow CMLP to issue an underground electrical primary, secondary, and Town fiber communication design and issue an estimate for CMLP's construction costs. The estimated cost for CMLP's portion of the job shall be paid for in advance by either the contractor, developer, and/or property owner as per CMLP's terms and conditions. It shall be the responsibility of the Applicant to coordinate with Comcast and/or Verizon if additional communication facilities are to be installed.
17. **Prior to issuance of a Building Permit**, the Applicant shall submit to the Water & Sewer Division, for review and approval, an application for the proposed water services installation. The application shall include the following:

- a. Identification of a Water & Sewer Division licensed "Drain Layer" who will be responsible for water installation activities.
 - b. Two full size copies of the approved water utility plan. (Note: separate service applications must be provided for each house having separate water meters to be served by Town water.)
 - c. An approved Water Use Impact Report (conservation plan) and Water Customer Data Sheet which will determine sizing of the water meter and water system connection fee.
18. **Prior to the issuance of any Building Permit**, the Applicant shall provide CMLP with a detailed electrical load letter in order to properly size the transformer and related equipment. The letter shall include calculations, voltage requirements, and the proposed service size.
 19. **Prior to the issuance of any Building Permit for each single-family dwelling**, the Applicant shall provide to the Building Inspections Division for review and approval a cut-sheet for all exterior light fixtures to ensure compliance with the Lighting Bylaw and the fixtures are dark-sky compliant.
 20. **Prior to the issuance of a Building Permit for each single-family dwelling**, all proposed metering shall be approved by the CMLP Meter Supervisor.
 21. **Prior to the issuance of a Building Permit for each single-family dwelling**, the Building Commissioner shall assign a new street address for each unit off a new roadway name as approved under Condition #7.
 22. **Prior to the issuance of a foundation sign-off for the first dwelling**, the Applicant shall install a street sign at the roadway entrance.
 23. **Prior to the issuance of a foundation sign-off for each dwelling**, the Applicant shall install a temporary house number to the satisfaction of the Fire Department that is clearly visible from the road to mark the address of the dwelling.
 24. **Prior to back-filling infiltration units**, the Applicant shall request and have CPW-Engineering conduct an inspection to verify that the installation of all infiltration units have been conducted in a manner consistent with the approved plans.
 25. **Prior to the issuance of the first Certificate of Occupancy**, the Applicant shall provide the Town Planner and CPW Engineering Division for review and approval a copy of the Homeowners or Condominium Association Documents, which shall contain the following:
 - a. Statement that the roadway will remain a private way now and in perpetuity with no obligation placed upon the Town in terms of maintenance, repairs, plowing or acceptance as a public way.
 - b. Responsibilities for maintenance of the stormwater drainage as specified in the Long-Term Operations and Maintenance Plan (LTOMP).
 26. **Prior to issuance of any Certificate of Occupancy**, the Applicant shall furnish to the Water & Sewer Division Water Demand Minimization Affidavit(s) to demonstrate work was performed in accordance with the approved demand mitigation measures.

27. **Prior to the issuance of any Certificate of Occupancy**, the Applicant shall submit to the Water & Sewer Division a full-size record drawing (Arch D), created in accordance with Division standards, for review prior to finalizing the drawing. This drawing shall include tie cards of water connections. Once the draft is approved, the Applicant shall submit to the Water & Sewer Division the final record drawing as electronic copies in the form of CAD and PDF files.
28. **Prior to the issuance of any Certificate of Occupancy**, the Applicant shall provide CMLP with a suitable utility easement for the proposed underground electric distribution system including Town fiber communication system that is located outside of the Town Right-of-Way. The easement shall be reviewed and approved by CMLP prior to recording with the Middlesex South Registry of Deeds. The Applicant shall provide copies of the recorded documents to CMLP. It is be noted that the individual underground electric services are owned and maintained by the property owner(s) and will require approval from the Town of Concord Electrical Inspector.
29. **Prior to the issuance of any Certificate of Occupancy**, the Applicant shall provide CPW-Engineering for review and approval the Long-Term Operations and Maintenance Plan (LTOMP) for the stormwater system in both a hard copy and electronic (PDF) copy. At the time the LTOMP is submitted for review, the Applicant shall also provide draft deed documents which outline permanent maintenance responsibilities for all elements of the on-site Stormwater drainage system, including all catch basins, infiltration chambers, trench drains, drainage manholes, pipes, sediment forebays, bioretention areas, level spreaders and all appurtenances thereto in perpetuity. Any inspection or monitoring reports required in all the LTOMP shall be submitted to CPW-Engineering annually.
30. **Prior to the issuance of a Certificate of Occupancy for each dwelling**, the Applicant shall submit to the Health Division all necessary as-built plans for the on-site sewage disposal system for review and issuance of a Certificate of Compliance.
31. **Prior to the issuance of a Certificate of Occupancy for each dwelling**, the Building Inspections Division shall confirm that all exterior lighting complies with the approved lighting cut-sheets.
32. **Prior to the issuance of the last Certificate of Occupancy**, the Applicant shall submit an as-built plan to CPW-Engineering, CMLP, the Town Planner, and the Building Inspections Division of the site including grading, elevations of all drainage infrastructure (e.g., inverts, rims), driveway/parking grades, pavement, pavement marking, signage, utilities, structures, building elevations, and other pertinent information. The plan shall demonstrate that the structure meet the setbacks as approved under this Decision and shown on the approved site plan. All setback measurements shall be taken from the lot lines to the closest point of the structure, including overhangs. The plan must be stamped by a Professional Engineer. A certification letter signed by a Professional Engineer shall outline any deviations from the design plans and certify that there will be no negative impacts as a result of those deviations. This submittal shall be provided a minimum of two weeks prior to applying for occupancy to ensure adequate review time. One hard copy and one electronic copy, in the form of both AutoCAD and PDF Files, shall be provided to CPW-Engineering. Additionally, to ease review, the as-built items shall be bold while all other plan items shall be screened down.

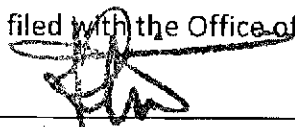
- 33. **Prior to the issuance of the last Certificate of Occupancy**, the Town Planner shall verify that all plantings shown on the approved Landscape Plan have been installed. Any proposed minor modification or substitutions shall be reviewed and approved by the Town Planner prior to installation. If the Applicant provides documentation to the Town Planner that it would be detrimental to complete weather-dependent aspects of the landscaping, the Town Planner may require a performance guarantee to ensure compliance. In such case, the Applicant shall submit to the Town Planner for review and approval a performance guarantee covering the cost of the landscaping and installation and a temporary certificate of occupancy shall be issued until all landscaping work is completed.
- 34. **This Special Permit shall lapse within two (2) years**, which shall not include such time required to pursue or await the determination of an appeal, from the date of grant thereof, if a substantial use has not sooner commenced except for good cause or, in the case of a permit for construction, if construction has not begun by such date except for good cause.
- 35. **Violation of any of the conditions of the Special Permit shall be grounds for revocation of the Decision**, or any permit granted hereunder. If at any time the event is not in compliance with the Decision and any permit issued by the Town, the Building Commissioner may order that the event be stopped until the non-compliance is corrected.
- 36. **By acceptance of this Special Permit**, the Applicant acknowledges the binding effect of the conditions of the Decision.

Appeals, if any, shall be made in accordance with M.G.L. Ch. 40A Sec. 17 within twenty (20) days after this decision is filed with the Town Clerk.

ON BEHALF OF THE CONCORD BOARD OF APPEALS:


Elizabeth Hughes, Town Planner

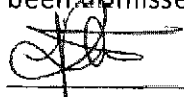
Decision filed with the Office of the Town Clerk:



Kaari Mai Tari, Town Clerk

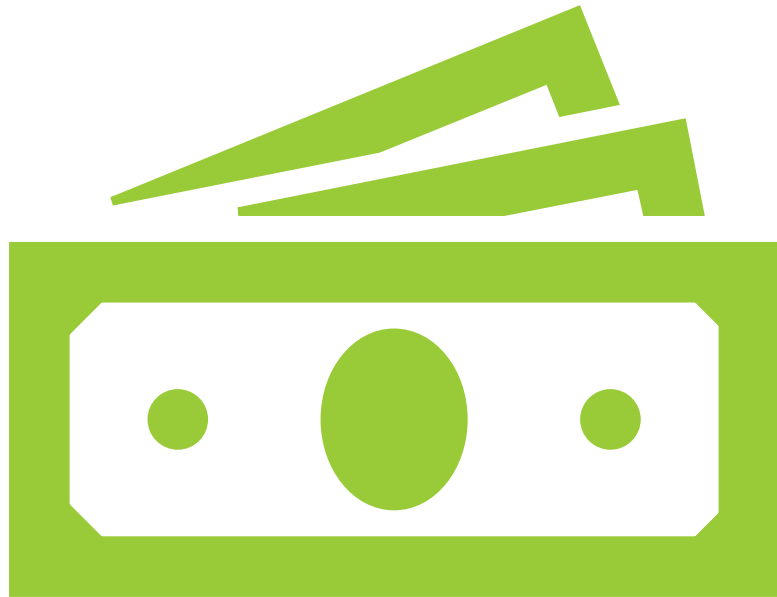
April 2, 2024
Date

I, Clerk of the Town of Concord, Massachusetts hereby certify that no notice of appeal was received during the twenty days next after receipt and recording of notice from the Board of Appeals of the approval of the Special Permit, or, if an appeal was taken, that a final decree has been entered by the Court sustaining the approval of the Special Permit or the appeal taken has been dismissed by the Court.



Kaari Mai Tari, Town Clerk

May 1, 2024
Date



FY27 Budget

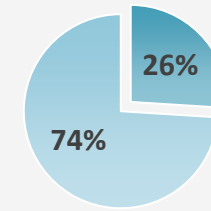
KERRY A. LAFLEUR, TOWN MANAGER

RYAN FERRARA, INTERIM CHIEF FINANCIAL
OFFICER

SEPTEMBER 15, 2025

FY26 Budget Recap

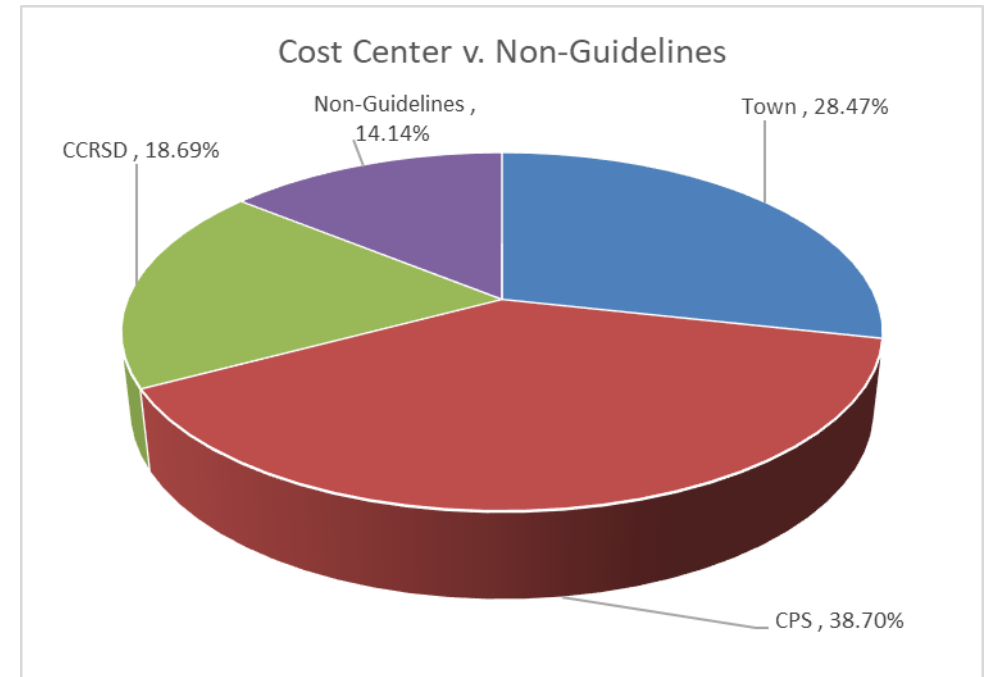
TOTAL HOUSEHOLDS: 6,411



■ With school-aged children: 1,667

■ Without school-aged children: 4,744

Governmental Cost Center	Total	Percent
Education	\$ 85,330,893	58.61%
CPS + Debt + Tier One Capital	\$ 56,348,963	38.70%
CCRSD + Debt	\$ 27,209,557	18.69%
MRVTHS + Debt	\$ 1,772,373	1.22%
Other Municipal Services	\$ 41,452,178	28.47%
Town + Debt + Tier One Capital	\$ 41,452,178	28.47%
Other, Employee Benefits (Town + CPS)	\$ 18,820,347	12.93%
Employee Benefits, Town + CPS	\$ 17,163,965	11.79%
Non-Appropriated + Liability Insurance	\$ 1,656,382	1.14%
Total Spending:	\$ 145,603,418	100.00%



External vs. Internal Service Departments

	FY24		FY25		FY26		FY26 vs FY25		
Total: Town Government , External	\$ 26,801,714	225.71	\$ 27,590,033	221.02	\$ 28,509,312	219.73	\$ 919,279	3.33%	-1.29
Total: Town Government , Internal	\$ 4,910,119	34.78	\$ 5,155,606	36.58	\$ 5,169,577	33.13	\$ 13,971	0.27%	-3.45
Total: Town Government	\$ 31,711,833	260.49	\$ 32,745,639	257.60	\$ 33,678,889	252.86	\$ 933,250	2.85%	-4.74

EXTERNAL SERVICE DEPARTMENTS



Provide public-facing services such as public safety, public works, and social services.



Includes: Human Services, Public Safety, Public Works, DPLM, Economic Vitality & Sustainability.



Town Manager's Office (50%) manages external-facing functions.



Finance (Town Clerk, Registrar) & Legal Services (67%) serve external needs.



Unclassified = 87% of total funding (majority supports external services).

INTERNAL SERVICE DEPARTMENTS



Support town administration, financial management, and operational efficiency.



Includes: HR, IT, Finance (accounting, payroll, procurement), Legal Services (33%).



Town Manager's Office (50%) also oversees internal governance.



Unclassified = 13% of total funding (internal reserves, benefits, etc.).

Free Cash Recap: July 1, 2024 Items Needing Further Review

Line 2, Error: CARES Grant deficit- originally a timing issue; 2-years to resolve (FY24); Free Cash appropriation to eliminate deficit; FY22 closed with budget surplus of \$838k

Line 5, Error: per bylaw, remaining appropriation should have been closed to the Insurance Reserve Trust

Line 5, Error: Capital Outlay approved in stand-alone warrant article does not close at the end of the fiscal year (under review)

Line 5, Error: Salary Reserve, specific appropriation for Class/ Comp Plan adjustments & Merit Pay; charged to wrong FY (under review)

Line		Amounts
1	Free Cash Certification: July 1, 2025	Amounts
2	Certified Free Cash, FY	\$ 9,820,395
3	Encumbered Appropriations (2024 ATM)	\$ (514,894)
4	Total: Certified Free Cash, 07.01.2024	\$ 9,305,501
5	Unencumbered/ Unexpended Appropriations	\$ 3,477,404
6	Revenue over Estimate (Local Receipts)	\$ 2,891,787
7	Revenue over Estimate (State Aid)	\$ 139,918
8	Other Adjustments	\$ 83,606
9	Total: Adjustments	\$ 6,592,715
10	Total: Certified Free Cash, 07.01.2024	\$ 15,898,216
	Line 2, Error: CARES Grant deficit, FY22 (confirmed)	\$ (603,332)
	sub-total: Line 2, Error/ Adjustment:	\$ (603,332)
	Line 5, Error: Insurance Reserve (confirmed)	\$ (519,696)
	Line 5, Error: Capital Outlay (under review)	\$ (534,921)
	Line 5, Error: Salary Reserve (under review)	\$ (755,000)
	sub-total: Line 5, Error/ Adjustment:	\$ (1,809,617)
	Total: Adjusted Free Cash, 07.01.2024	\$ 13,485,267

FY27 Budget Calendar



Start	Stop	Action	Assigned To:
8/1/2025	9/15/2025	Submit Capital Requests, FY27- 36	All Departments
9/15/2025	9/30/2025	Review & validate Capital Requests, FY27 - 36	TM, CFO & Budget Team
9/1/2025	9/30/2025	Submit Operating Budget Requests, FY27	All Departments
	9/15/2025	Progress Review: Select Board	
10/1/2025	10/31/2025	Review & validate Operating Budget Requests, FY27	TM, CFO & Budget Team
	10/20/2025	Progress Review: Select Board	
10/1/2025	10/31/2025	Prepare & finalize FY27 -31 Financial Forecast	CFO & Budget Team
	10/31/2025	FY27 Preliminary Guideline Issued	FinCom
11/1/2025	11/19/2025	Review Capital & Operating against FY27 Preliminary Guideline	TM, CFO & Budget Team
	11/3/2025	Progress Review: Select Board	
	11/17/2025	Progress Review: Select Board	
	11/20/2025	FY27 Final Guideline Issued	FinCom
	12/1/2025	Progress Review: Select Board	
	12/15/2025	Progress Review: Select Board	
12/1/2025	12/31/2025	Finalize FY25 Capital & Operating Budget Recommendations	
3/1/2026	3/31/2026	Public Hearings	
4/28/2026		2026 Annual Town Meeting, opens	

FY26 Goals FY27 Budget

Goal Categories	Objective
Development & Land Use	
	MCI Concord Redevelopment
	Cell Service
	WW Treatment Capacity
	Transportation
	Town Facilities
	2229 Main Street Acquisition Negotiations
	Commercial Development
	Housing
Financial Management	
	Reserve Policies
	Audits & Free Cash
	Revenue Goals
	Affordability & Budgeting

Goal Categories	Objective
Sustainability & Ecology	
	Warner's Pond Management Plan
	Middle School Solar Construction
	Substation bi-directional power flow, CMLP to Grid
	Time of Use Electrical Billing
	Climate Action
Civility, Tolerance & Inclusion	
	Reporting & Communication of hate & bias incidents
	Unified approach developed with School Committee
	Promote community dialog supporting tolerance and inclusion
Effective & Transparent Government	
	Organizational Capacity
	Committee Process
	Conduct a 250th Celebration "Lessons Learned" Session
	Initiate quarterly coordination discussions with School Committee
	Evaluate adequacy of Select Board Communications

Strategic Issue of the Highest Order:

Creating Focused 1-Year Action Plans

- Concord has invested heavily in planning — from **Envision Concord 2030** to climate, housing, recreation, wastewater, open space, and energy futures. Each of these plans represents strong community vision and advocacy.
- The challenge is not a lack of ideas, but that **financial and staff resources are tighter than ever**. We cannot advance every plan independently or in parallel.
- Moving forward, groups must **work collectively and collaboratively** to identify shared priorities and sequence projects for the greatest impact.
- To support this, the Town needs to engage in a **strategic planning process** that translates our many long-term master plans into **focused one-year action plans**.
- This approach will ensure we make visible, coordinated progress, align limited resources with the most pressing needs, and provide clarity to staff, boards, and residents alike.

Creating Focused One-Year Action Plans

- To move forward, we need a **structured process** that takes the priorities from these plans and translates them into **clear, coordinated one-year action plans**.
- These action plans would:
 - Identify **2–3 priority initiatives per year** with broad alignment.
 - Sequence projects to match available financial and staff capacity.
 - Define **measurable outcomes** so residents and boards can see progress.
 - Provide clarity on tradeoffs, so decisions are transparent and defensible.
- This work will require **facilitation and disciplined project management**. While staff will lead the content, the Town would benefit from engaging outside resources to:
 - Convene stakeholders across multiple advocacy groups.
 - Help set criteria for prioritization (e.g., compliance, impact, feasibility).
 - Ensure the process remains objective and moves forward on schedule.
- By combining internal knowledge with external facilitation, Concord can ensure that our many long-range plans are not only aspirational but also **translated into annual priorities that are realistic, affordable, and achievable**.

Public Safety Operational		
Police Command Structure	The Police Department faces rising call volumes, expanded training needs, and growing community expectations. Current command staff are stretched thin, limiting supervisory coverage and officer development. An additional command-level FTE would provide needed leadership depth, support succession planning for future retirements, and ensure the Department maintains strong oversight and continuity of service.	Estimated cost including benefits (inc. educational incentive) is \$205,000. Potential offset of \$110k if adjustment in shift strength is implemented.
Public Safety Business Manager	The Police and Fire Departments manage increasingly complex budgets, procurement, payroll, and grant activities, all of which currently fall to command staff whose primary responsibilities are operational leadership. A dedicated Public Safety Business Manager, similar to what already exists within CPW, would provide the financial and administrative expertise needed to support both departments, freeing command staff to focus on field operations and community safety while ensuring resources are managed effectively.	Estimated cost including benefits is \$128,250

FY27 Operational Challenges

FY27 Operational Challenges

Ceremonies & Celebrations	Description	Costs
Use of Town Property	Staff team meets bi-weekly to review applications: Patriot's Day Parade; Ag Day; Pride Celebration: Might Moose Run; Concord Museum Garden Tour; Regional Bike rides; use of Gerow Park	Review Cost: 8 staff members x 1.5 hours/month = \$10,000; plus hard dollar costs for OT, use of equipment materials
Administering Free Speech demonstrations	Occurring weekly, or more frequently; coordination generally through CPD; on-duty personnel assigned to monitor	Monitoring Costs: drawing resources from other assignments; some OT costs associated
Town Meeting & Town Elections		
Town Meeting, Annual	All expenses for Town Meeting, Warrant/ FinCom Report, Annual Report fall inside of the Town's Guidelines budget. Changes in "specs," and/ or STM's impact Guidelines	
Town Elections, Annual	All expenses for Annual Elections fall inside of the Town's Guidelines budget. Changes in "specs," and/ or need for special elections impact Guidelines.	
Town Election, Presidential (FY29)	Cost of the Presidential election increases the budget by \$30 - 50K, also falling within the Town's Guidelines budget.	

Other Operational		
FY27 COLA, Non Union Employees	The Non-Union Classification/ Compensation Plan has not been adjusted for a COLA since implementation in FY24. Based upon market data (Internal & External), we foresee the need to make an adjustment in FY27.	
Peabody School, Operational Expense	Town received a one-time, "Outside of Guidelines" appropriation to cover the building's carrying costs FY26. FY27 costs are expected to fall "Within Guidelines."	Assuming same level of occupancy, cost is approximately \$70k.
Public Records Administration	The volume of public records requests has grown sharply, nearly doubling from an average of 1.7 requests per business day in FY23 to 3.4 in FY24 , with FY25 data showing continued increases. At present, these requests are managed by the Town's Records & Archives Manager, pulling him away from his primary responsibilities of preserving, cataloging, and providing access to Concord's historical records and vital municipal documents. A dedicated Public Records Administrator would allow the Town to meet statutory deadlines for requests while enabling the Records & Archives Manager to refocus on the essential archival and records management work that preserves Concord's history and supports transparent government.	If PT, non-benefit eligible, approximately \$40,000; if FT with benefits, estimated cost is \$101,250
FY26 Cuts, Reinstitute	Seasonal Ranger Program; Fire Department OT	Approximately \$100k

FY27 Operational Challenges

Other Operational/ Capital		
MCI-Concord, Redevelopment	Further due diligence funding may be needed once FY26 Legislative Earmark is expended.	
Land Use Working Group	While the committee report will be due in FY26, its recommendations may result in the need for additional funding.	
Warner's Pond Management Plan/ Gerow Park	Implementation of the Warner's Pond Adaptive Management Plan will require annual operating support for consulting services, monitoring and management interventions, community engagement, and committee coordination. These resources will ensure independent evaluation, rigorous tracking of water quality and ecological health, effective management of invasive species, and transparent reporting to the community, with a reevaluation of needs at the five-year mark.	

FY27 Operational Challenges

FY27 Budget Calendar



Start	Stop	Action	Assigned To:
8/1/2025	9/15/2025	Submit Capital Requests, FY27- 36	All Departments
9/15/2025	9/30/2025	Review & validate Capital Requests, FY27 - 36	TM, CFO & Budget Team
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	11/3/2025	Progress Review: Select Board	
	11/17/2025	Progress Review: Select Board	
	11/20/2025	FY27 Final Guideline Issued	FinCom
	12/1/2025	Progress Review: Select Board	
	12/15/2025	Progress Review: Select Board	
12/1/2025	12/31/2025	Finalize FY25 Capital & Operating Budget Recommendations	
3/1/2026	3/31/2026	Public Hearings	
4/28/2026		2026 Annual Town Meeting, opens	

Town of Concord

~~Antisemitism and~~ Bias/Hate Incident Reporting Work Group

Charge

Background and Purpose

The occurrences of bias and hate incidents targeted at race, religion, sexual orientations and gender identities in Town are a concern for the Town of Concord. Recently, The Select Board has ~~previously~~ identified the need for deliberate action to combat antisemitism across the Town and declared its intent to lead the effort for the Town in collaboration with others. This intent is not limited to antisemitism. As part of an overall plan, the Select Board passed a motion at the Select Board meeting on August 11, endorsing moving forward on two parallel efforts.

- “Community engagement” including community dialogue, education, and input, led by DEI Commission working with community organizations and faith leaders.
- Developing and deploying a hate incident reporting system, including: a) the evaluation of existing systems and 2) reporting and communication protocol development, to be led by the Select Board.

The Working Group on Hate Incident Reporting focuses on the second effort. It is established to advise the Select Board on the development of a protocol to improve the Town’s ability to receive reports, document incidents, communicate with the public, and respond to antisemitism and other related bias/hate incidents. The goal of this effort is to raise the visibility and improve awareness of the community of these incidents. Its focus is to ensure that residents have a clear, safe, accessible way to report incidents and that the Town has an effective way to track and report these incidents and, by doing so, collects and uses reliable data to inform the community, facilitate accountability, and guide community response.

Responsibilities of the Work Group.

The responsibility of the work group is to: establish the need and purpose of a bias/hate incident reporting system; to gather, review, and analyze existing information and make recommendations on the components of a reporting system. In doing so they will work closely with the Town Manager/Town Staff, the Town’s DEI Commission, public school representatives, and will engage a cross-section of community stakeholders.

Specifically the Working Group shall:

1. Gather information on and review existing reporting systems available through the DEI Commission, other towns, CPS/CCHS, and law enforcement (i.e. the District Attorney’s office and Concord Polic Department) .

2. Identify mechanism(s) for reporting.
3. Identify barriers that discourage or prevent reporting and recommend straightforward ways to report incidents safely and securely.
4. Recommend ways to verify the authenticity of reports.
5. Advise how data should be collected, analyzed, and shared to inform prevention and policy development.
6. Consider if and how data from other reporting systems (i.e. Concord Police; CPS/CCHS) could be integrated for trending, communication and community education purposes.
7. Recommend the structure, management, and community uses of a reporting system that is simple, safe, and confidential.

Deliverables

The work group will develop and review options for and details of a reporting system and subsequently submit recommendations to the Select Board and Town Manager in a concise written report of findings and recommendations no later than December 31, 2025 for approval and implementation. Extensions would be requested if needed.

Note: Until this Work Group's recommendations are accepted and implemented, the Town will make interim use of existing reporting entities including reports to the Concord Police Department, the DEI Commission, and the Town Manager's office. The data from these entities will be included in the new reporting system when that comes online.

Membership

The Working Group shall consist of five (5) voting members ~~five (5) members~~ appointed by the Select Board and a liaison from the Town staff, including residents with relevant backgrounds and expertise, ~~and at least one representative from the Jewish community.~~

~~Town Manager or staff (1)~~

- Select Board(1)
- DEI Commission(1)
- School representative(1)
- At-Large community members (2)
- Town Manager or staff - liaison (1)

Term

The Working Group shall dissolve upon submission of its final report.

Other Considerations

The work group will conduct its business in full conformance with the Open Meeting Law, Public Records Law, Conflict of Interest Law and other state and local rules encouraging openness and transparency in governance. Each meeting will allow adequate time for public comments. The elected chair will consult with the Town Manager to discuss staff assistance and possibly financial support.

September 15, 2025

Lee Zeldin, Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

VIA ELECTRONIC SUBMISSION

Subject: Proposed Rule, Reconsideration of 2009 Endangerment Finding and Greenhouse Gas Vehicle Standards,” 90 Fed. Reg. 36,288 (Aug. 1, 2025)

Docket No.: EPA–HQ–OAR–2025–0194; FRL–12715–01–OAR

To Administrator Zeldin,

The Select Board of the Town of Concord, Massachusetts, urges the Environmental Protection Agency (EPA) to withdraw this proposal and retain the Endangerment Finding and all existing EPA vehicle emission standards in their current form. Both are essential to mitigating the impact of climate change and extreme weather events, and in so doing, protecting public health, safeguarding vital infrastructure, preserving natural resources and fostering innovation in our local and national economy.

The Endangerment Finding, grounded in overwhelming scientific evidence, recognizes that greenhouse gas emissions endanger public health and welfare. It provides the legal basis for regulating climate pollution under the Clean Air Act. Rescinding it would not only ignore established science but also remove one of the EPA’s most critical tools for safeguarding Americans against the growing dangers of climate change.

At the same time, vehicle emission standards are among the most effective policies we have, to reduce greenhouse gas emissions, cut air pollution, and save consumers money through improved fuel efficiency. Rolling back these standards would increase harmful pollution, worsen respiratory illnesses such as asthma, and raise fuel costs for families and businesses. It would also hinder U.S. competitiveness, as automakers worldwide are moving rapidly toward cleaner, more efficient, and zero-emission technologies. Moreover, rescinding the Endangerment Finding threatens to slow or reverse job growth in the clean energy sector, including wind, solar, and energy storage industries, that are vital for our economic future.

Here in Concord, Massachusetts, we have seen firsthand how these policies enable meaningful progress. In 2017, the participants of Concord’s Town Meeting voted nearly unanimously to support energy goals aligned with the Massachusetts Global Warming

Solutions Act to achieve an 80% reduction in greenhouse gas (GHG) emissions by 2050. In 2024, Town Meeting voted to enhance our goal to achieve an 85% reduction in GHG emissions by 2050. The Town developed a Climate Action and Resilience Plan with numerous actions aimed at achieving these goals, and we are proud to report that we achieved a 38% reduction in GHG emissions in 2022 compared with our 2008 baseline. Importantly, Concord's electricity supply is now 100% carbon-free, a transition made possible by clear standards, strong policy direction, and investments in renewable energy. These gains have come through decarbonizing our electric supply, improving building energy efficiency, and critically, promoting the use of electric vehicles (EVs) and more efficient vehicles on the road.

Transportation makes up 32.2% of our community-wide GHG emissions, primarily from residential vehicles. EPA vehicle emission standards have been essential in driving the adoption of fuel-efficient technologies and accelerating the transition to EVs. This is evident in Concord, where 11% of all registered vehicles are now electric. These standards directly reduce CO₂ emissions, contribute to cleaner air, and save households money on fuel costs. Weakening them would undermine our community's progress and jeopardize our ability to meet our Town's climate commitments.

Concord, like other communities across the nation, has also been affected by climate change. We are already experiencing more frequent and intense storms, heavy rainfall, and increased periods of drought. These events strain our water supply, damage our roads, increase municipal operating costs, and necessitate significant investments in infrastructure and resiliency measures. For example, the Town has set up a stormwater management fund with a target annual budget of \$1 million to upgrade and maintain stormwater infrastructure. Weakening national standards (such as vehicle emission rules) promise to increase the frequency and severity of those events—and thus the costs to Concord. Every rollback translates to more local repair bills, more burden on municipal services, diversion of funds away from community priorities, and higher taxes.

Taken together, rescinding the Endangerment Finding and weakening vehicle emission standards would move the nation backwards at precisely the moment we need stronger protection. Instead of dismantling proven safeguards, we should be reinforcing them to protect public health, strengthen communities, expand clean energy jobs, improve economic security and ensure a healthy environment for future generations.

We urge you to uphold the Endangerment Finding and maintain strong vehicle emission standards. These protections are vital for public health, environmental safety, and economic security, and they directly enable communities like Concord to succeed in advancing climate goals.

Thank you for your attention to this urgent matter.

Respectfully submitted,

Mark Howell
Chair, Concord Select Board

Wendy Rovelli
Clerk, Concord Select Board

Paul Boehm
Concord Select Board

Mary Hartmen
Concord Select Board

Cameron McKennitt
Concord Select Board

cc. Senator Elizabeth Warren
Senator Ed Markey
Congresswoman Lori Trahan
Governor Maura Healy
Attorney General Andrea Campbell
Secretary Rebecca Tepper, Executive Office of Energy and Environmental Affairs
Senator Michael Barrett
Representative Simon Cataldo
Representative Carmen Gentile

Liaison Report for Wendy Rovelli (9/15/25)

Hugh Cargill Trust (9/9)

- Two citizens have received assistance in paying their electric bills through the HCT. This is being tracked since CMLP discontinued annual contributions to the HCT last year.
- The spring fundraising letter did not generate a large amount of contributions. One barrier has to do with the inability of the Town to accept donations electronically (due to the current bank and accounting configuration). The committee has worked with Vanguard to allow donations to be accepted through a gift fund which can be directed to the Town of Concord.

Trustees of Town Donations (9/9)

- The committee has completed an analysis of FY2025 fund returns and determined the FY2026 amounts that are available by fund for distribution. The Trustees establish limits for fund distributions based on prior usage and returns, while still preserving the principal of each individual fund.
- The committee is working to categorize funds by type (scholarships, town dept beneficiaries etc) and create notifications to help entities plan for and request actual funds.

Planning Board (9/9)

- The Board conducted an annual review of the Envisions Concord 2030 plan where the Planning Board is identified as an owner or contributor to a given goal. The group documented whether each targeted action was completed, in-progress with status, or expected to be completed in 1-2 or 3-5 years. (Note: A review of the Envision Concord 2030 plan should be completed by all current committees)

Zoning Board of Appeals (9/11)

- Two applications were continued, pending follow-up review with legal counsel.

Mary Hartman Liaison Report for September 15, 2025 Select Board meeting

Tour of 141 Keyes Rd (DPLM) (9/9)

Tour the building (including a frequently flooding basement) that houses Planning and Land Management, Natural Resources, Public Health, Building Inspector. Staff seems very happy with their present location.

LUWG Consolidation subcommittee (9/9)

Finalized Needs Assessment and Decision Criteria. Developed the “Long List” of sites to be considered for consolidation and sites that would house co-located departments. Discussed process to determine data needs to evaluate each site against our established design criteria in order to arrive at a “Short List” and eventually a recommendation to the Select Board to be based on evidence, not intuition. Our next meeting is dedicated to determining data needs.

CMAHT (9/11)

Trust voted to approved submission to CPC for the FY27 round of funding.

Discussion regarding a \$300k request for fire safety sprinklers requested by CHA. The Trust voted to invite CHA to submit this request directly to the Trust.

MADOT cannot transfer title of the parcel at 91B Main St to CHDC. Discussion continues regarding the best way to get this land conveyed to the town before ARPA funding expires.

Recreation Commission (9/11)

Productive meeting that included updates on Rideout resurfacing, Maisey O’Donnell Dry Dive Training Facility at Beede and Gerow Recreation. Leith Jackson presented preliminary capital improvement plans for Beede Enterprise and Recreation Revolving Fund. Matt Boger was voted the Rec Commission liaison the Land Use Working Group, replacing Phil Griffiths who is unable to attend Friday meetings due to family commitments.