



OLD NORTH BRIDGE

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

August 7, 2023

Mr. Michael Busby, Relationship Manager
Massachusetts Housing Finance Agency
One Beacon Street
Boston, Massachusetts 02108

Re: Proposed 40B Application of NOVO Riverside Commons MH ID No. 1192

Dear Mr. Busby,

This letter is in response to yours to me dated June 21, 2023 requesting comments on the Proposed 40B Application of NOVO Riverside Commons, LLC for the construction of 201 units of rental housing on property off Baker Avenue in Concord (the "Project"). You have requested our assistance in evaluating the site, the design concept, the financial feasibility of the proposal, and the appropriateness of the proposal in relation to local housing needs and strategies.

To provide the broadest possible response, we have referred your request to our local housing agencies and gathered comments from Town departments involved in the approval process or impacted by the Project. You have already received a letter dated July 14, 2023 from Frank Feeley, President of the Concord Housing Foundation, Inc. and I attach a memorandum dated August 2, 2023 from Keith Bergman, Chair of the Concord Municipal Affordable Housing Trust. Like the Select Board, both express strong support for many aspects of the Project but raise a number of concerns, most of which arise from the resources necessary to construct, the services necessary to integrate a project of this size into our existing community infrastructure and costs which might be imposed on the Town. At least for a Town the size of Concord, this is a very large project. We expect that as the Project proceeds through the approval process, many of these issues will be resolved provided that the developer is amenable to assuming the costs or

otherwise providing the necessary upgrades of utility service, access, public safety and traffic management. Overall, the Select Board is generally supportive of the Project.

The attractive aspects of the current proposal include:

- a. The development includes 20% - 25% affordable units including a mix of bedroom configurations suitable for those living alone, and those with small and larger families. It is hoped that the affordable units will be intermixed with the market rate units in a more or less seamless manner;
- b. All units will be eligible for inclusion in Concord's Subsidized Housing Inventory as long as they remain rentals;
- c. The location will have minimal impact on the historic character of the Town;
- d. The developer has placed great emphasis on sustainability values including all-electric utilities, solar energy charging stations and preservation of existing trees and landscape;
- e. The location is within a half-mile of the West Concord MBTA Commuter Rail Station and could be included in the proposed MBTA Communities Zoning overlay district although it is hard to know at this point whether a project built under a Chapter 40B Comprehensive Permit would satisfy the specific zoning requirements of Section 3A;
- f. The development helps the Town qualify for the Housing Choice Designation with access to grants and capital funding programs;
- g. The proposed design includes a foot path and retention of large, mature trees; and
- h. A proposed pedestrian bridge across the Assabet River would connect the development to West Concord village and contribute to the economic vitality of that district.

Comments received by the Board raise the following concerns:

- a. The number of units dictates the addition of 300 cars to an area already congested with traffic. Suggestions to mitigate this include designing direct access to Route 2 through existing parking lots and the inclusion of the pedestrian bridge across the Assabet River which would reduce the necessary automobile traffic. Also, a reduction in the size of the

Project would lessen a variety of adverse impacts. Currently, access to the Project from Baker Avenue is not feasible because of the width of the public way, the lack of sidewalks and the proximity of the railroad grade crossing, which is not only a traffic and convenience issue, but a public safety issue because of potential interference with the access from the West Concord Fire Station of ambulances and fire equipment;

- b. As five-story wood frame structures, fire safety is a critical issue. The assumption is that the buildings will be fully sprinklered, but Public Works raises the issue of adequate water pressure and volume for domestic service let alone fire protection;
- c. The proposed sewer design flow is considerable and beyond what had been contemplated for this site as detailed within the state certified Comprehensive Wastewater Master Plan. The developer will need to demonstrate legal rights and capacity/integrity for both wastewater from and water to the site;
- d. The height of the buildings raises public safety and access concerns (for instance, number of elevators). These concerns, as well as others might be mitigated by structures congruent with classic New England building styles. When asked at a Select Board meeting how the number of units was determined, it was conceded that this was the maximum number that could be built on the site; and
- e. The footprint of the building leaves little room for open space and amenities attractive to families and seniors such as community spaces, play spaces, bike storage, and other passive recreation. Nothing will change the fact that the site is, in essence, a large parking lot.

Next steps

The Select Board proposes that the developer and the Select Board enter into a Host Community Agreement to address some of the concerns raised above that may not be addressed by the Zoning Board of Appeals. These include:

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- a. The extent to which the feasibility of the Project will be affected if the developer assumes the cost to upgrade utilities including water and sewer, and the payment of the sewer improvement fee;
- b. Whether the developer considers solutions for ways to limit automobile congestion from the site and improve pedestrian access to the West Concord commercial area;
- c. Whether the developer will commit to maintaining the rental status of the market rate units as well as the affordability of the balance of the units; and
- d. Whether the developer will pay for the necessary improvements to provide convenient access and promote traffic flow at all hours of the day.

We also encourage the developer to host another site visit to familiarize residents with the site and answer questions.

Very truly yours,

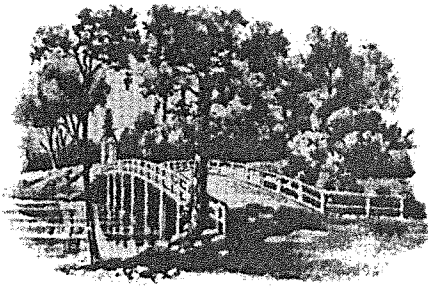


Henry Dane, Chair

Concord Select Board

Enclosed:

Memorandum from Keith Bergman, Chair of CMAHT



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To: Concord Select Board
From: Concord Municipal Affordable Housing Trust c/o chair Keith Bergman
CC: Housing Roundtable c/o chairs, ZBA c/o chair, Town staff
Date: August 2, 2023
SUBJ: Comments on NOVO Riverside Commons, LLC’s application to MassHousing for site approval for a proposed 40B at 300-310 Baker Avenue with 201 rental units, of which 51 (25%) would be deed restricted as affordable at 80% of AMI

Please know that, at its meeting on August 1, 2023, the Concord Municipal Affordable Housing Trust voted unanimously (4-0)¹ to authorize the Trust’s chair to send a letter to the Select Board in support of NOVO Riverside Commons, LLC’s application to MassHousing for site approval for a proposed 40B development at 300-310 Baker Avenue, with the following comments:

Housing Production Plan. This project’s location is specifically identified in the FY 2023-2028 Housing Production Plan in Strategy #3, which provides, in part, that “There are several parcels in private ownership which might be appropriate for residential developments across Concord, through 40B or other processes: | A. 300-310 Baker Ave. – a mixed use location . . .”

MBTA Communities Zoning. This 10-acre site is located within one half mile from the West Concord MBTA Commuter Rail Station and the Trust recommends it be considered-- along with other sites identified in the Housing Production Plan for affordable housing development-- for inclusion in the proposed MBTA Communities Zoning overlay district that will be brought to the April 2024 Annual Town Meeting for approval.

Subsidized Housing Inventory. Since 25% of this project’s rental units would be deed-restricted as affordable at up to 80% of area mean income (AMI), all 201 units would be counted on the Town’s Subsidized Housing Inventory, increasing Concord’s total number of SHI units from 715 to 916, and its 40B percentage² from 9.97% to 12.77%.

Housing Choice Designation. This project would also help the Town qualify for Housing Choice Designation-- with access to Housing Choice Community Grants and preferential treatment for many state grant and capital funding programs-- once it produces a 3% increase in new year-round housing units over the last 5 years, and demonstrates 7 of 15 Housing Choice “best practices.”³ For Concord, 3% would be met by 216 units, which this project’s 201 units would ensure.

¹ Linda Escobedo, Mike Lawson, Rich Feeley and Keith Bergman voted in favor; Kerry Lafleur was not present.

² Concord’s Chapter 40B goal is 717.2 SHI units-- 10% of its 7,172 year-round housing units, per 2020 US Census.

³ See Housing Choice 2023 best practices, which will be updated for 2024.

Host Community Agreement. The Trust recommends that the Select Board negotiate a host community agreement (HCA) with the developer to address such issues as the Select Board may determine, including but not limited to the following:

- (1) whether the Town should defray all or a part of the affordable units' share of this project's sewer improvement fee, for which the CMAHT trust fund could be a source of funding⁴;
- (2) whether the developer should make a financial contribution towards the Assabet River Pedestrian Bridge, as originally proposed by the Town to connect West Concord MBTA commuter rail station and the Concord Meadows Corporation Center; and, further, that the Select Board reexamine the scope of the "Assabet River Multi-Use Trail and Bridge Construction" project currently proposed for inclusion in the Boston MPO Transportation Improvement Program (TIP)⁵ so the priority would be to complete the bridge first; and
- (3) whether to require that as many of the project's rental units as possible remain as rental units for as long as possible, in order to remain countable on the Subsidized Housing Inventory.

The Trust would be pleased to participate in the HCA process to whatever extent the Select Board may desire.

MHP 40B Technical Assistance for ZBA. Once MassHousing approves the developer's application for site approval, the Trust urges the Town to obtain grant funding-- referenced in MassHousing's June 21st letter to the Select Board-- through the Massachusetts Housing Partnership (MHP)'s Chapter 40B Technical Assistance Program, to engage a qualified third-party consultant to work with the Concord Zoning Board of Appeals in reviewing the comprehensive permit application then filed by the developer.

Please let us know what questions you have about any of this. Thanks very much.

⁴ The developer told the Select Board on July 24, 2023 that NOVO may ask the Town to defray the 51 affordable units' share of the \$1,500,000 sewer improvement fee for the project.

⁵ The Boston MPO TIP for FFYs 2024-2028 notes on page 360 that the \$8,280,000 "Assabet River Multi-Use Trail and Bridge Construction" project "was originally a new Pedestrian Bridge with a \$2-3.6M price range. Scope has increased to include improvements for a multi-use trail alongside the bridge. Cost has increased accordingly and is now in preliminary design. Project location runs between the West Concord MBTA Station and the Concord Meadows Corporate Center with a hookup to the Southern Terminus of the Bruce Freeman" Rail Trail.