HOUSE DOCKET, NO. 409 FILED ON: 1/9/2025

# HOUSE . . . . . No. 3042

## The Commonwealth of Massachusetts

PRESENTED BY:

***Simon Cataldo and Carmine Lawrence Gentile***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act establishing a building permit fee surcharge for affordable housing in the town of Concord.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|---|---|---|
| *Simon Cataldo* | *14th Middlesex* | *1/9/2025* |
| *Carmine Lawrence Gentile* | *13th Middlesex* | *1/9/2025* |
| *Michael J. Barrett* | *Third Middlesex* | *10/21/2025* |

HOUSE DOCKET, NO. 409 FILED ON: 1/9/2025

# HOUSE . . . . . No. 3042

By Representatives Cataldo of Concord and Gentile of Sudbury, a petition (accompanied by bill, House, No. 3042) of Simon Cataldo and Carmine Lawrence Gentile (by vote of the town) that town of Concord be authorized to establish a building permit fee surcharge for affordable housing in said town. Revenue. [Local Approval Received.]

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *2729* OF 2023-2024.]

## The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court**
**(2025-2026)**

An Act establishing a building permit fee surcharge for affordable housing in the town of Concord.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. The Town of Concord, hereafter referred to as "the Town," may, by bylaw, require the payment of an affordable housing surcharge for any construction that (i) requires a building permit and (ii) exceeds a minimum construction value to be determined by the Select Board of the Town. The bylaw shall specify the amount of said affordable housing surcharge, the method by which the surcharge may be increased from time to time, and any types of construction or uses to which the affordable housing surcharge shall not apply.

SECTION 2. All fees received pursuant to this act shall be deposited into the Concord Municipal Affordable Housing Trust Fund established pursuant to section 55C of Chapter 44 of the General laws and used for any purposes permitted thereunder.

SECTION 3. For the purposes of this act, “affordable housing” shall mean housing with an affordable housing restriction recorded with the Middlesex South Registrar of Deeds that requires the housing to be rented or owned by families and individuals whose income at initial occupancy is no more than 150 per cent of the area mean income as determined by the Federal Department of Housing and Urban Development guidelines and adjusted for family size and that thereafter such units shall be rented or sold, subject to such restrictions on appreciation as determined by the municipality to be reasonable and necessary to maintain long term affordability, to families or individuals at incomes of no more than 150 per cent of the area mean income.

SECTION 4. Acceptance of this act by the Town of Concord shall be by vote of approval at an annual or special Town Meeting. Sections 1 to 3, inclusive shall take effect 30 days after such acceptance by the Town.