

**HOUSE . . . . . No.**

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**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:
<i>Simon Cataldo</i>	<i>14th Middlesex</i>	<i>1/9/2025</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>1/9/2025</i>

**HOUSE . . . . . No.**

[Pin Slip]

[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:*

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

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

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

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