



(Session 1)

**MINUTES OF THE HEARING ON THE PETITION OF THE HEARING # 10-08
ACTON HOUSING AUTHORITY, MCCARTHY VILLAGE II 15-26 SACHEM WAY**

A public hearing of the Acton Board of Appeals was held in Town Hall on Monday, August 2, 2010 at 7:30 PM in Room 204 of the Acton Town Hall.

In accordance with the provisions of M.G.L. c. 40B, §§ 20-23, the Acton Board of Appeals will hold a public hearing on Monday, August 2, 2010 at 8:30 PM in Room 204 of the Acton Town Hall Acton, MA on the application of the Acton Housing Authority for approval of a Comprehensive Permit on a parcel of land located at 15-26 Sachem Way, Acton, MA Map C-5/Parcel 16 of the Acton Town Atlas. The petitioner proposes 12 dwelling units with all of the units being affordable.

Present at the hearing was Ken Kozik, Chairperson; Jon Wagner, Member; Adam Hoffman, Alternate member; Scott Mutch, Zoning Enforcement Officer/Assistant Town Planner; and Cheryl Frazier, Board of Appeals Secretary. Also present at the hearing was the Attorney for the Acton Housing Authority, Ruth Silman of Nixon Peabody Attorneys at Law along with Timothy J. Williams P.E., Engineer and Ahmed Idris, Architect for the project. One abutter, from 122 Nonset Path, Charles Sullivan was present. There were also four members of the Acton Housing Authority present along with Director Kelly Cronin.

Ken Kozik opened the hearing and asked the petitioner's Attorney to comment. Ruth Silman with Nixon/Peabody Attorneys at Law introduced herself to the Board and the audience and stated that she is here tonight on behalf of the Acton Housing Authority's Application for a Comprehensive Permit Amendment for the McCarthy Village II project, Sachem Way, consisting of twelve affordable rental units. 100% of the units will be affordable. There are 35 existing units. They are proposing an additional 12 units. The Housing Authority has had a tremendous amount of outreach for this project.

The applicant is in agreement that the current application before the Board is to be a new Comprehensive Permit not an amendment. The current application attempts to detail compliance with the requirements for a new Comprehensive Permit. The current application is a substantial change to the original 1984 permit. The current application proposes an increase of more than 10% in the number of housing units proposed.

The applicant and their Counsel agreed to move forward with the hearing based upon the Public Notice posted for this application.

Kelley Cronin Director of the Acton Housing Authority, introduced the members of the Housing Authority and some of the consultants that were present. She began by saying they were going to add a playground a few years ago. They tabled the playground application and did a concept design, approached the neighbors and showed them the concept plan. The abutters had concerns about the septic and water tables and how this would affect their units. In 2009 they applied for CPC funds and found it was feasible to build houses there. In fall 2009 they selected a committee to consult what they were proposing.

The site received a Comprehensive Permit in 1984 that authorized construction of the buildings that currently exist on the site. Presently there is a 23-unit subsidized elderly housing development and six duplexes that contain 12 units of affordable family housing.

Twenty five years later the Acton Housing Authority undertook soil testing at Sachem Way. They learned that the rear portion of the parcel could support twelve new units of affordable family housing. This information inspired the Acton Housing Authority's board of commissioners to undertake this project.

They determined after consultation with legal counsel, the appropriate path for permitting the new duplexes would be to apply for an amendment to the existing Comprehensive Permit. Although they expect the Board will review this as they would any new project, they ask that the ultimate outcome be an amendment to the existing permit.

Tim Williams, Civil Engineer for the project said essentially the McCarthy Village project makes up 8 acres. They plan on extending the existing cul-de-sac by adding 12 units. The site slopes and has very tall mature trees. They discussed soil conditions for septic systems. They meet all the requirements for zoning setbacks. The storm water will be underground.

Ahmed Idris, Architect for the project briefly went through what was being proposed. They have tried to squeeze everything as close to Phase I as possible. They have tried to use the same architectural style of what was built before. They are proposing to use modular construction. No new driveway is being proposed. The town views it as one large project.

Charles Sullivan, 122 Nonset Path, an abutter to the property has a concern regarding the wastewater runoff. He is very happy to hear that they will be connecting to private sewer. The landscape screening is an issue with him and his neighbors. They are requesting that the

Board require screening from their property to the proposed site. The architect said they are proposing evergreens for screening.

Ken asked Adam and Jon as if they needed to do a site visit. Adam and Jon don't believe they need to do that. Ken said looking at the various interoffice comments that need to be addressed he recommends that the hearing is continued to the next regularly scheduled meeting which is in September 13th at 7:30 PM.

Ken moved to continue Board of Appeals Hearing #10-08 to September 13th, 2010 at 7:30 in Room 126 of the Acton Town Hall. Adam made a motion to continue the hearing. The motion was seconded by Jon Wagner.

Respectfully submitted,

Cheryl Frazier

Board of Appeals Secretary

Ken Kozik

Chairman, Board of Appeals

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