

Sent 7/16/04

**Priority Development Fund
Planning Assistance for Housing Production
Application**

Municipality Name - List other municipalities, if joint application:

Name	Town of Acton
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Community Contact for this project:

Name	Roland Bartl and Nancy Tavernier
Title	Town Planner (Roland); Chair, Acton Community Housing Corporation (Nancy)
Address	Acton Town Hall
City/Town/Zip Code:	Acton, MA 01720
Telephone	978-264-9636 (Roland), 978-263-9611 (Nancy)
E-mail	rbartl@acton-ma.gov, achc@acton-ma.gov

Applications must be submitted electronically to miryam.bobadilla@state.ma.us . They must be followed by a signed letter from the Chief Elected Official submitting the application. If a joint application is submitted, the CEO in each participating Community must submit a signed letter. The Department will not consider an application until such letter(s) is received.

1. PROJECT DESCRIPTION: Provide a detailed description of the proposed activity(ies).

We propose an Implementation Activity comprised of planning and predevelopment studies for a small mixed-income multi-family housing project on town-owned land, including a site evaluation, a market analysis and feasibility study, schematic architectural plans and a conceptual site plan, and a developer's kit.

Toward these ends, the Acton Community Housing Corporation (ACHC) requests \$35,000 to hire qualified consultants to determine the feasibility of developing two adjoining parcels of land located at 28 Willow Street and 214 Central Street in West Acton Village. As the town's affordable housing committee, the ACHC needs professional assistance in determining the best method for creating up to four affordable housing units on the site. The proposed studies will examine all aspects of the project: market analysis, the development of rental housing or condominiums, potential funding sources, target population and income ranges, building design and floor plan options, site design, mix of unit sizes, wastewater disposal options, and financial viability of the proposed development. As part of the feasibility study, we also seek funding to have a Request for Proposals (RFP) prepared by a consultant to help expedite the disposition of the property and technical assistance for reviewing proposals and selecting a designated developer. The Town intends to issue a Request for Proposals (RFP) in order to secure the most

qualified developer for the kind of project determined by the results of the feasibility study.

The subject property consists of two contiguous parcels of land in a residential neighborhood in West Acton. The current zoning is Village Residential (VR), in which up to 4 multi-family units are allowed by special permit on 15,000 square feet or more of land. The parcel at 28 Willow Street is 8,091 square feet and contains an office and garage building with approximately 2,000 square feet of gross floor area (GFA), and the parcel at 214 Central Street is 7,708 square feet. Together, they offer 15,799 square feet of land, or an area sufficient to meet the minimum lot size for the proposed use. Acton acquired the parcels through tax title foreclosure. The site was formerly owned by a septic system installation and repair company until approximately 1995. The Town has spent \$125,000 of its own funds for significant environmental remediation work through the 21E process to clean up a petroleum contamination problem. Due to the Town's efforts, the site has been approved by DEP for re-use.

This is an ideal site for a small multi-family development. The lot is located within close walking distance to the West Acton Village Center. Infill housing is consistent with the Town's Master Plan (1998) and the emphasis our zoning bylaw places on concentrating new development within and near the village cores. There are other multi-family properties nearby. A duplex occupies an abutting parcel on one side and another duplex is located across the street. A thoughtfully designed multi-unit project would blend in quite well. From the Town of Acton's perspective, the proposed development would restore a piece of town-owned property to the tax rolls and create much needed affordable housing with family units in a small development setting. In addition, the project will eliminate an eyesore and a potential health and safety hazard because the site is overgrown and the building is boarded up.

The Town would like to see a mix of incomes and unit types with at least two 3-BR units and two 2-BR units. Acton has identified a particular need for housing at the 60% AMI level as well as the below market range at 110-120% AMI.

Because current zoning allows up to 4 multifamily units, we do not anticipate the need for a comprehensive permit. Instead, the Town may use a local special permit process while assuring that the affordable units qualify as Local Initiative Units.

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2. **ELIGIBILITY OF ACTIVITY:** Demonstrate how the proposed activity(ies) will help your community increase its housing supply in ways that are consistent with the Commonwealth's principles of sustainable development. Is the proposed activity(ies) identified in the E.O.418 Community Development Plan, Master Plan, Consolidated Plan, or other housing strategies? Will the proposed activity(ies) advance the competitiveness of the community's application to Commonwealth Capital?

The proposed development of multi-family housing on this site is consistent with the following Commonwealth Principles of Sustainable Development:

1. Redevelop First. This site was originally a residential unit that was converted to a garage and office use where cars and trucks were repaired. Its most recent use was by a septic disposal company using the building as an office and the parking area for septic disposal trucks. The proposed reuse of the property will enhance the neighborhood by cleaning up a vacant and abandoned site and providing housing consistent with the existing neighborhood without creating sprawl.

2. Concentrate Development. The West Acton Village area is a relatively dense area with many large vintage homes, multi-family dwellings, and a diverse assortment of small retail and service businesses. The parcel proposed for reuse is located in the Village area. Within a one-mile radius are a small public library, an elderly housing complex, two elementary schools, two churches, a playground, a cemetery, several restaurants, several personal service businesses, retail establishments, a pharmacy, a post office, and conservation areas with public access trails.

3. Restore and enhance the environment. This site was a 21E site that needed remedial abatement. The Town of Acton took the land for back taxes and later discovered that the soil was contaminated by gasoline. The Town has now cleaned up the site at its own expense, and the site has been approved by the DEP for redevelopment, including residential use. The building on the site is boarded up and the land area is overgrown and unsightly. Housing development will be a welcome improvement that enhances the neighborhood and restores tax revenues to the Town.

4. Expand Housing Opportunities. The development of this site will provide needed 3 bedroom units for family housing. The feasibility study will determine how many of the proposed four units can be sold or rented to low and moderate income families.

5. Provide Transportation Choice. The site is within walking distance to businesses in West Acton Village. It is approximately 1.3 miles from the South Acton Commuter rail station with access to frequent service to and from Boston and points west. There is a sidewalk to the station for almost the entire route. The site is also located within 3 miles of Rt. 2 and 5 miles from Rt. 495 for easy access to the highways.

Acton Master Plan (1998) Strategies for Promoting Affordable Housing to be met with this proposal:

1. Strategy H2: Seek opportunities to acquire buildable town-owned properties that might be suitable for donations towards the development of affordable housing

2. Strategy H4: Direct the focus of affordable housing initiatives to provide housing for the elderly, young families, and low and moderate income residents in our community.

The Town has recently completed an EO418 Community Development Plan which focuses on housing. The plan identifies four Priority Housing Needs that could be potentially be met with this redevelopment depending on the outcome of the feasibility study:

1. Low income rental units for families, especially three bedroom units
2. Affordable apartments for seniors and persons with disabilities
3. Moderate income ownership for first time homebuyers
4. Below market homeownership

Acton is an EO 418 certified community and would be eligible for funding from the Commonwealth Capital program. The Town is not applying for one of the programs at this time.

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3. **COMMUNITY SUPPORT:** Describe the past and current local efforts that indicate the community's involvement and commitment to the proposed activity(ies).

In 1998, the Board of Selectmen asked Acton Town Meeting voters to invest \$125,000 in the remediation of this site with the understanding that it would be sold for affordable housing development in the future. The Selectmen encouraged the ACHC to prepare a proposal for affordable housing on the site. 2004 Annual Town Meeting voters appropriated \$50,000 of CPA funds to support affordable housing initiatives including the development of town owned parcels such as this parcel. These funds will be used as a local share to enhance the affordability of the units.

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4. **NEED:** Identify and demonstrate the need for this assistance to address the proposed activity(ies). Describe previous efforts by the community to obtain other funds and resources to accomplish the activity(ies).

In the past, the Town has received a Technical Planning Grant of \$22,000 from Mass Housing Partnership to prepare a feasibility study and preliminary design for a proposed reuse of the Towne School Building to produce 18 rental units, 50% of them affordable.

The Town received a \$30,000 State grant in 2003 to prepare a Community Development Plan consistent with EO 418 guidelines. The plan focuses primarily on housing strategies, has just been completed, and is being submitted to MAPC at this time.

The Community Preservation Committee recommended and the 2004 Annual Town Meeting appropriated \$50,000 from CPA funds for future housing initiatives.

Without the infusion of funds from sources such as the Priority Development Fund, housing studies would not be done given the limited resources of the Town of Acton. CPA funds are anticipated to be used as part of the local contribution to implement this proposed use. A request for those funds will be made in the next round of CPA funding requests for 2005. The feasibility study and preliminary design will help define the CPA funding request.

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5. **PROPOSED SOLUTIONS TO ADDRESS NEED:** Explain how and why the proposed activity(ies) will lead to the production of housing. What specific tasks are necessary to accomplish the activity(ies). Identify measurable benchmarks for success.
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Redevelopment of this property will be a benefit to the immediate neighborhood and the community at large. Production of housing cannot move forward without planning and predevelopment services. The feasibility study needs to include an estimated total project cost to identify funding gaps and determine appropriate sources. The Town is anxious to get this property developed and back on the tax rolls. As soon as the reuse proposal can be defined by the feasibility study, the Town will move forward with seeking developer proposals.

Measurable benchmarks:

1. Preliminary determination of wastewater disposal options based on capacity will establish the maximum number of bedrooms that can be accommodated on site and will establish the siting of the units on the parcel. This work will be done by an engineering firm and will include soil testing for septic capacity.
2. Feasibility study will use the findings of the preliminary engineering work (number of bedrooms) to determine the economic viability of the proposal, including a market analysis to determine whether it should be rental or home ownership or some combination thereof; a preliminary development pro forma; the percentage of deed restricted affordable units; what gap there may be in funds needed to maximize the number of affordable units; and identification of appropriate funding sources and program criteria.
3. When the feasibility study has determined the number of units and whether rental or ownership, the preliminary architectural design work will commence to determine the size and the footprint of the units on site and provide enough information to determine the total estimated construction cost including site preparation. This would then be factored in the final stage of the feasibility study and the preparation of the pro forma.
4. Request for Proposals will be prepared based on the feasibility study seeking proposals that meet the criteria established by the Town for a housing development that justifies the disposition of a public resource for this purpose.
5. Technical assistance will be required to review the proposals and help with developer designation.

6. **BUDGET:** Provide the sources and uses of each of the tasks necessary to accomplish the activity(ies) and indicate whether sources are anticipated or committed.

1. **\$5000.** Preliminary design of site and septic system Soil testing, analysis of design requirements in relationship to site conditions, selection of design components based on development potential and drafting a preliminary plan that supports the determined number of bedrooms.

Source of funds: Priority Development Fund

2. **\$5000.** Preliminary architectural design of building and units

Source of Funds: Priority Development Fund

3. \$25,000. Feasibility study to include market analysis, preliminary pro forma, sources of gap funds, RFP preparation, and technical assistance for proposal review and developer designation.

Source of Funds: Priority Development Fund

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- 7. SCHEDULE:** Identify the time required to accomplish each milestone and overall activity(ies). Address the feasibility of overall timeline.

This Implementation Activity will provide information for the next round of funding from the Acton CPA Fund in Spring of 2005. In addition, this activity is necessary for the Town and/or the designated developer to apply for funds from state housing programs in 2005. Defining the project is central to applying for future funds.

Estimated timeline from award of funds date:

- 1. Preliminary design of site and septic system: 4 weeks**
- 2. Preliminary architectural design: 4 - 6 weeks**
- 3. Feasibility study: 8 weeks**
- 4. Development of RFP: 4 weeks**
- 5. Technical assistance for proposal review and developer designation: 4 weeks**

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- 8. READINESS TO PROCEED:** Demonstrate readiness by identifying proposed consultant, the scope of the proposed consultant contract, and the description of the consultant selection process.

The Town has not procured consultants at this time.

The Town will select consultant services in compliance with MGL, Ch. 30B, the State's Procurement Law to ensure fair and open competition. For contracts under \$5000, the Town will solicit price lists or quotations from competing vendors doing relevant work. For contracts from \$5000 to \$25,000, the Town will seek quotes from at least three vendors, either in writing or over the telephone. Alternatively, the Town will select appropriate consultants from the current state EO 418 Vendor list.

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- 9. CAPACITY TO UNDERTAKE ACTIVITY:** Identify the staff responsible for each task, and how and when each identified task will be developed.

Roland Bartl, Town Planner (planning and zoning issues)

Acton Community Housing Committee members (feasibility study, affordability needs and issues, general oversight to the project)

Don Johnson, Town Manager (manage and approve contracts and RFP process)

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- 10. IMPACT OF ACTIVITY(IES):** Demonstrate the likelihood that the product from the planning assistance will be implemented within a 2-3 year time frame. Describe the impact

of proposed activity(ies) are expected to have on neighborhood, municipality, and region.

This parcel of land has been vacant since 1996, creating an eyesore and a revenue shortfall for the Town. The Town is highly motivated to restore this property to a viable use. As soon as the RFP is prepared for this project, it will be properly advertised and put out to bid. It would be the Town's expectation to have the designated developer begin construction in Spring 2005. The development should be occupied in Fall 2005.

The construction impact on the neighborhood will be limited since the site can be accessed from two main streets. The positive impact on the neighborhood will be immediate with the demolition of the boarded up buildings and clearing of the site. The ACHC will seek design input from the neighborhood, abutters, and historic preservation interest groups to select a design that is consistent with the character of the neighborhood.

It is anticipated that the feasibility study and the RFP will also aid in the development of future small projects in the Town. They will provide a template for future studies and will streamline future development. The townspeople have indicated support for small in-fill affordable housing projects such as this one. The value of this Implementation Activity will extend beyond this specific proposal and will be readily shared with other towns in the region.

Acton MA – Priority Development Fund Proposal
Site of proposed multi-family development



214 Central Street West Acton, MA



28 Willow St. West Acton, MA

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214 Central Street / 28 Willow Street

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Town of Acton Assessors Map Showing Location of the Project

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Topographic Map

Over View Map

Detail Map

Environmental Site Assessment

PROJECT APPLICATION FORM

Applicant: Nancy Tavernier, Chairman of ACHC **Submission Date:** 11/14/03

Applicant's Address, Phone Number and Email Purpose: (Please select all that apply)

Acton Community Housing Corporation (ACHC)	<input type="radio"/> Open Space
P.O. Box 681	<input checked="" type="radio"/> Community Housing
Acton, MA 01720	
(978) 263-9611, (978) 263-4776	<input type="radio"/> Historic Preservation
Achc@acton-ma.gov	<input type="radio"/> Recreation

Town Committee (if applicable): Acton Community Housing Corporation (ACHC) is a **Selectmen appointed town board charged with developing affordable housing strategies and implementing affordable housing programs in the Town of Acton.**

Project Name: 214 Central and 28 Willow Street

Project Location/Address: West Acton / 214 Central Street and 28 Willow Street

Project Summary: In the space below provide a brief summary of the project. Using additional sheets submit a complete narrative description of the project and, when applicable, of the property involved and its proposed use. Describe how the project will benefit the Town and the citizens of Acton and how the project is consistent with the Plan's "Guidelines for Submission" and "Review and Recommendation Criteria." Include a work plan showing the anticipated steps or phases for completion of the project and the timing and estimated cost of each phase.

The Acton Community Housing Corporation (ACHC) is seeking \$25,000 to hire a consultant who will prepare a feasibility study for the town-owned parcel of land located at 28 Willow Street and 214 Central Street. As the town's affordable housing committee, the ACHC would like expert assistance in determining its best route for creating three to four affordable housing units on the site. This study would examine all aspects of the project, including available neighborhood feedback, funding sources, design options/unit mix and financial viability.

Narrative:

The subject site consists of two adjoining parcels of land in a residential neighborhood in West Acton. 28 Willow Street is 8,091 square feet and contains an approximate 2,000 square foot office and garage building. 214 Central Street is 7,708 square feet. The two parcels combined are 15,799 square feet. These two parcels of land were taken by the Town of Acton for unpaid back taxes. It was the former site of a septic system installation and repair company, until approximately 1995. The Town of Acton has done significant

environmental remediation work. The site has been clean and has prepared it for residential re-use. The ACHC feels strongly that this is an ideal site for a small multi-family development. The lot is located in close proximity to the West Acton Village District and infill housing would be wholly consistent with the Town's emphasis on concentrating new development within the village cores. There are other multi-family properties nearby, a duplex abuts the parcel on one side, and a thoughtfully designed multi-unit project would blend in quite well. From the Town of Acton's perspective, the proposed development would get a piece of town-owned property back on the tax roles, eliminate an eyesore (the building currently on the site is boarded up and overgrown, a potential hazard) and create much needed affordable housing.

Control of Site: Indicate below whether the applicant owns or has a purchase agreement for the property. If the property is under agreement, indicate below or attach a description of the agreement, including timing and conditions. If the applicant does not have site control, please explain (use additional sheets as necessary).

The Town of Acton has clear title to the property.

Feasibility: List below or attach all further action or steps that will be required for completion of the project, such as environmental assessment, zoning or other permits and approvals, agreement on terms of any required conservation, affordability or historic preservation restrictions, and any other known or potential barriers or impediments to project implementation.

If the ACHC is awarded funds, we will immediately put out a Request for Proposals for consultant services to prepare a feasibility study with architectural conceptual designs. A 90-day timeline should be ample to receive and review bids, interview final candidates and select a contractor. In the past, the ACHC has issued RFPs to select a consultant to study the Towne School project as well as to choose the project's developer. We are familiar with a broad range of quasi-public agencies, non-profits and private consultants who would be interested in pursuing this contract.

ACHC would anticipate applying for additional CPA funds in the 2005 cycle for construction should a local contribution be determined necessary for its feasibility. There may be other development options that are identified as a result of the feasibility study such as seeking a private developer for the site in exchange for the construction of some number of affordable units.

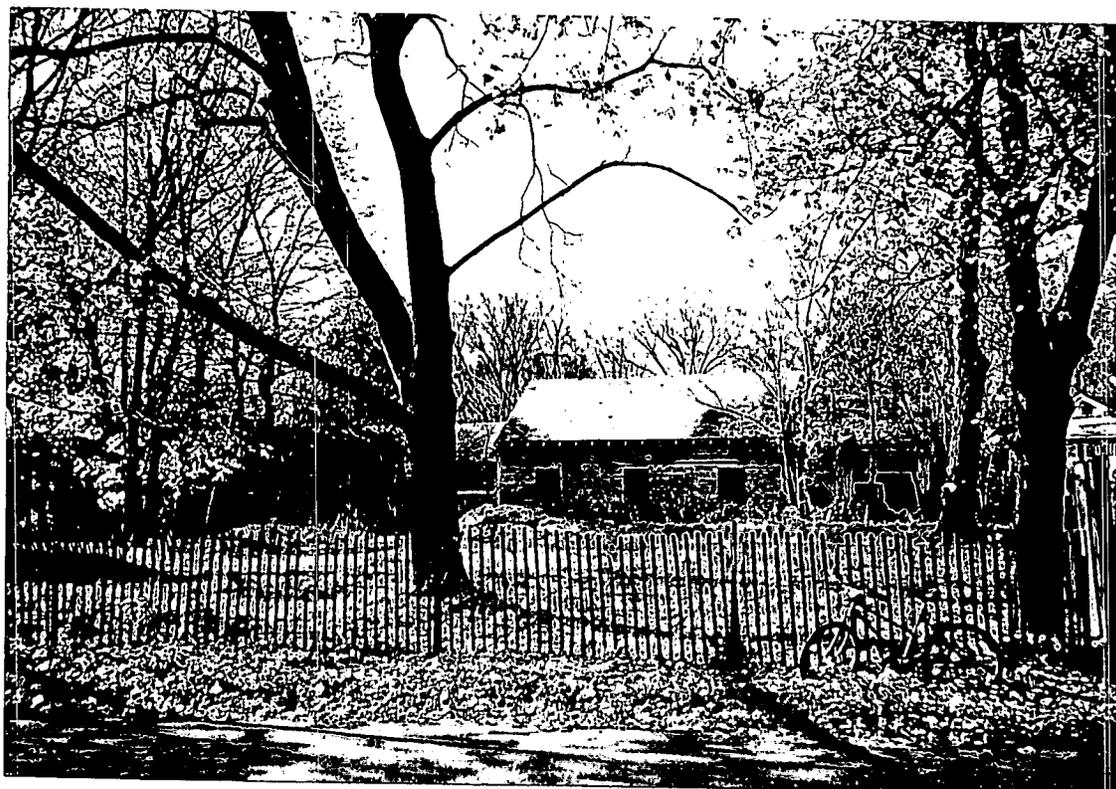
Estimated Date for Commencement of Project:	90 days after funding
Estimated Date for Completion of Project:	180 days after funding

Pictures

Subject Property 28 Willow Street



Subject Property 214 Central Street



Other Multifamily Properties in West Acton



Other Multifamily Properties in West Acton



Pictures of Harvard Green in Harvard, MA



BCS
ACT#2



INTERDEPARTMENTAL COMMUNICATION

Acton Board of Health - Telephone 978-264-9634 - Fax 978-264-9630

June 14, 2002

TO: John Murray, Assistant Town Manager

FROM: Doug Halley, Health Director

SUBJECT: 28 Willow Street

O'Reilly, Talbot and Okun has completed a draft Phase II Report for 28 Willow Street, in accordance with the provisions of Chapter 21E of Massachusetts General Law. Town Counsel is currently reviewing the draft and the final version should be submitted to DEP within the next two weeks.

This report finalizes the actions the Town has taken under its Remediation Abatement Measure. As required under law a Method 3 risk characterization was performed after the remediation measures were implemented. That characterization concluded that a condition of "No Significant Risk" has been obtained. As such the remediation effort can be classified as a "Permanent Solution" and no other action is required.

Based on this I will request that Town Counsel draft a letter to the Selectmen verifying that the property may now be transferred. In regards to that transfer I have talked with Garry Rhodes regarding the building status of these two lots and he confirms that the lots cannot be separated. Under current zoning a single-family house can be built on these properties or an owner occupied four-apartment complex can be built.

LU-28	Allow for variations from the maximum or minimum dimensions (frontage, width, depth, height, etc.) by special permit rather than by variance.	Planning Board	
Action LU-29	Consider creating landscape and site design standards that are flexible enough to meet the needs of a specific site but are still consistent with the Town's goals.	Selectmen	

Strategies for Preserving Neighborhood Character

Strategy H1	Monitor strategies that other communities are implementing to address the issue of "tear-downs" and "mansionization" in healthy neighborhoods.	Planning Board	
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Strategies for Promoting Affordable Housing

Strategy H2	Seek opportunities to acquire buildable Town-owned properties that might be suitable for donations towards the development of affordable housing.	ACHC	
Strategy H3	Require some percentage of units accessible to persons with disabilities in affordable housing developments.	Disability Commission	
Strategy H4	Direct the focus of affordable housing initiatives to provide housing for the elderly, young families, and low and moderate income residents in our community.	ACHC	
Strategy H5	Continue to seek federal and state moneys for housing rehabilitation for lower income home owners and tenants.	ACHC	
Strategy H6	Examine how the Town's current efforts and strategies might be refined, and how additional ways might be adopted, to be more effective in achieving a diversity of housing types with a range of affordability, including but not limited to: <ul style="list-style-type: none"> investigating the feasibility of a tax abatement program for owner-occupants who rent to eligible low and moderate income elderly; 	ACHC	

	<ul style="list-style-type: none"> • encouraging more affordable housing in, or in connection with, new residential developments through duplexes, through lot coverage limitations, by allowing smaller lots in the context of average density zoning, and by encouraging off-site affordable units; • revising the condo conversion law to give the option for limited equity cooperatives and to establish linkage requirements (e.g., units to housing authority, construction of comparable rental housing stock, cash payments to housing trust fund); • developing deed restricted moderate income home ownership opportunities; • establishing a community land trust and/or housing trust fund to provide housing that is not subject to the speculative market forces; • investigating the impact of tax rates on housing affordability in Acton and incorporating this issue in programs to provide affordable housing; • evaluating the potential for-and fiscal implications of-increased incentives for more affordable housing for seniors and for families. 		
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Actions for Promoting Affordable Housing

Action H-1	Investigate costs and benefits of establishing a Town Social Services Dept.	Selectmen	
Action H-2	Update the 1989 Affordable Housing Study. Include in the study broad-based community discussion of how maintaining affordability will contribute to Acton's quality of life. Concentrate on identifying and adopting satisfactory and effective strategies for gaining affordable homes from both the development of open land and infill within existing neighborhoods.	ACHC	
Action H-3	Consider increasing the permitted FAR in village districts for mixed use developments that include guaranteed affordable units.	Planning Board	
Action H-4	Simplify the formulas and processes in the Affordable Housing Overlay District so that density bonuses can be easily determined and attained, and provide options for satisfying the affordable housing requirements with off-site housing units.	Planning Board	

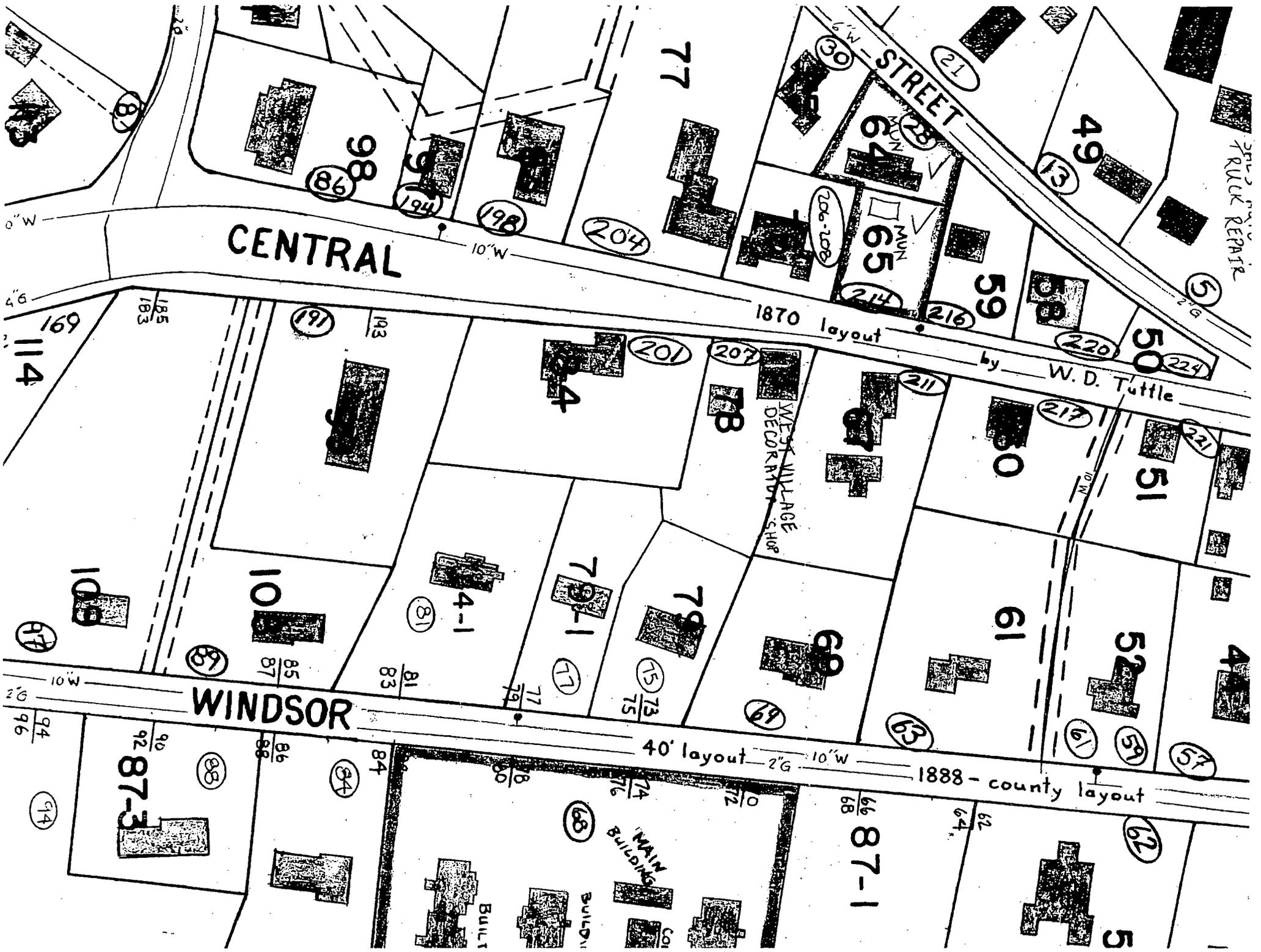
H-5	Consider adopting a zoning provision that requires the inclusion of affordable units in new developments.	Planning Board	
Action H-6	Create a set-aside fund for rehabilitation of current Housing Authority units, and low interest home improvement loans for seniors and other populations of concern.	ACHC	
Action H-7	Search out parcels with problematic titles that the Town could clear through eminent domain and turn over to ACHC for use in developing affordable homes. Explore with owners who can be identified the potential options for satisfactory resolution.	ACHC	
Action H-8	Examine the costs and benefits of a Real Estate Transfer Tax, and consider how such a tool might assist Acton in achieving objectives relating to both affordable housing and conservation of natural resource areas.	Finance	
Action H-9	Remove the Affordable Housing Overlay District from areas zoned industrial or business. Develop alternative mechanisms to offset any resulting loss of affordable housing potential.	Planning Board	

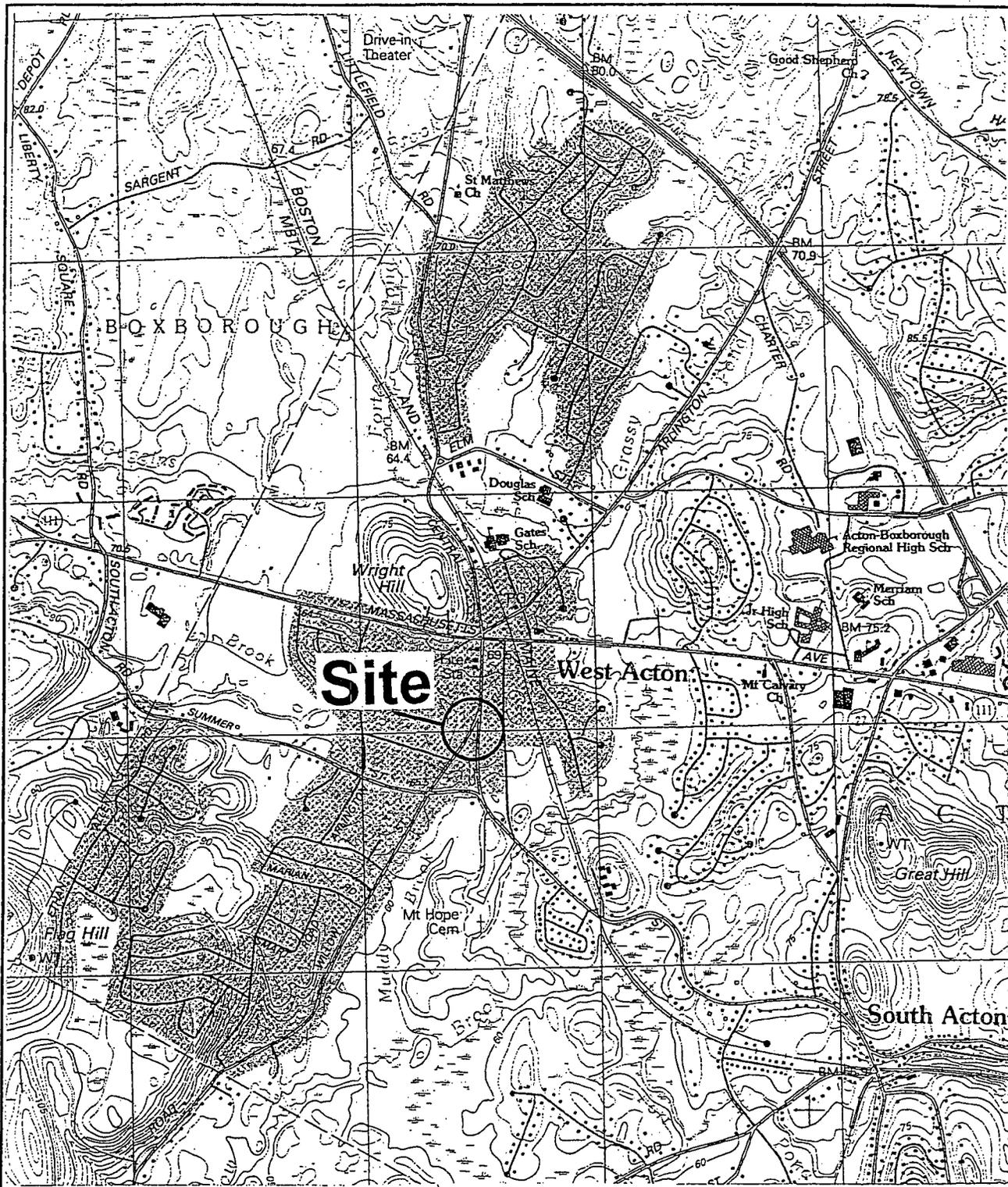
Strategies for Promoting Appropriate Business Development

Strategy ED 1	Actively promote and support commercial and industrial development	Selectmen (EDC)	
Strategy ED 2	Encourage the continued growth and development of entrepreneurial high technology companies	Selectmen (EDC)	
Strategy ED 3	Amend Zoning Bylaw	Planning Board	
Strategy ED 4	Rezone to increase commercial and industrial development potential	Planning Board	
Strategy ED 5	Incentives for additional development	Selectmen (EDC)	
Strategy ED 6	Infrastructure Improvements	Selectmen	
Strategy ED 7	Improve Permit Process	Selectmen	
Strategy ED 8	Develop a Marketing Plan	Selectmen (EDC)	
Strategy ED 9	Database of businesses and available commercial and industrial land	Selectmen (EDC)	
Strategy ED 10	Develop a Taxation Strategy	Selectmen (Finance)	

Actions for Promoting Appropriate Business Development

Action ED 1	Encourage commercial development to create a sustainable balance of land uses.	Selectmen (EDC)	
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O'Reilly, Talbot & Okun Associates, Inc.

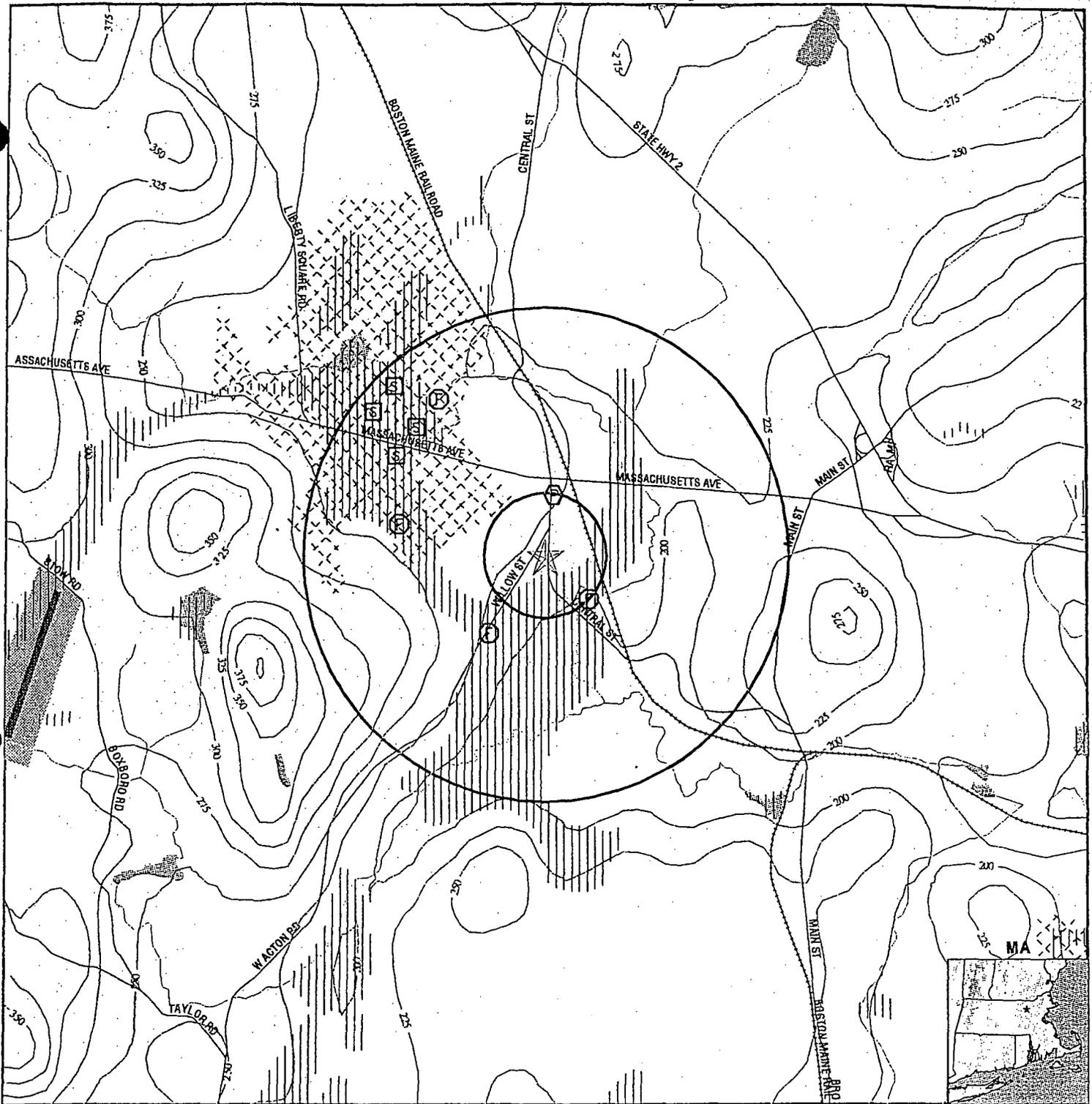
28 Willow Street
Acton, Massachusetts

Site Locus

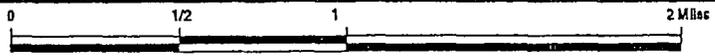
September, 1998

Figure 1

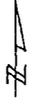
TOPOGRAPHIC MAP - 282109.1S - O'Reilly, Talbot & Okun



- Major Roads
- Contour Lines
- Waterways
- Airports
- Earthquake epicenter, Richter 5 or greater
- Closest Federal Well in quadrant
- Closest State Well in 1 mile radius
- Closest Public Water Supply Well



- EPA Designated Sole Source Aquifers
- Potentially Productive Aquifers
- Not Potentially Productive Aquifers
- DEP Approved Zone IIs



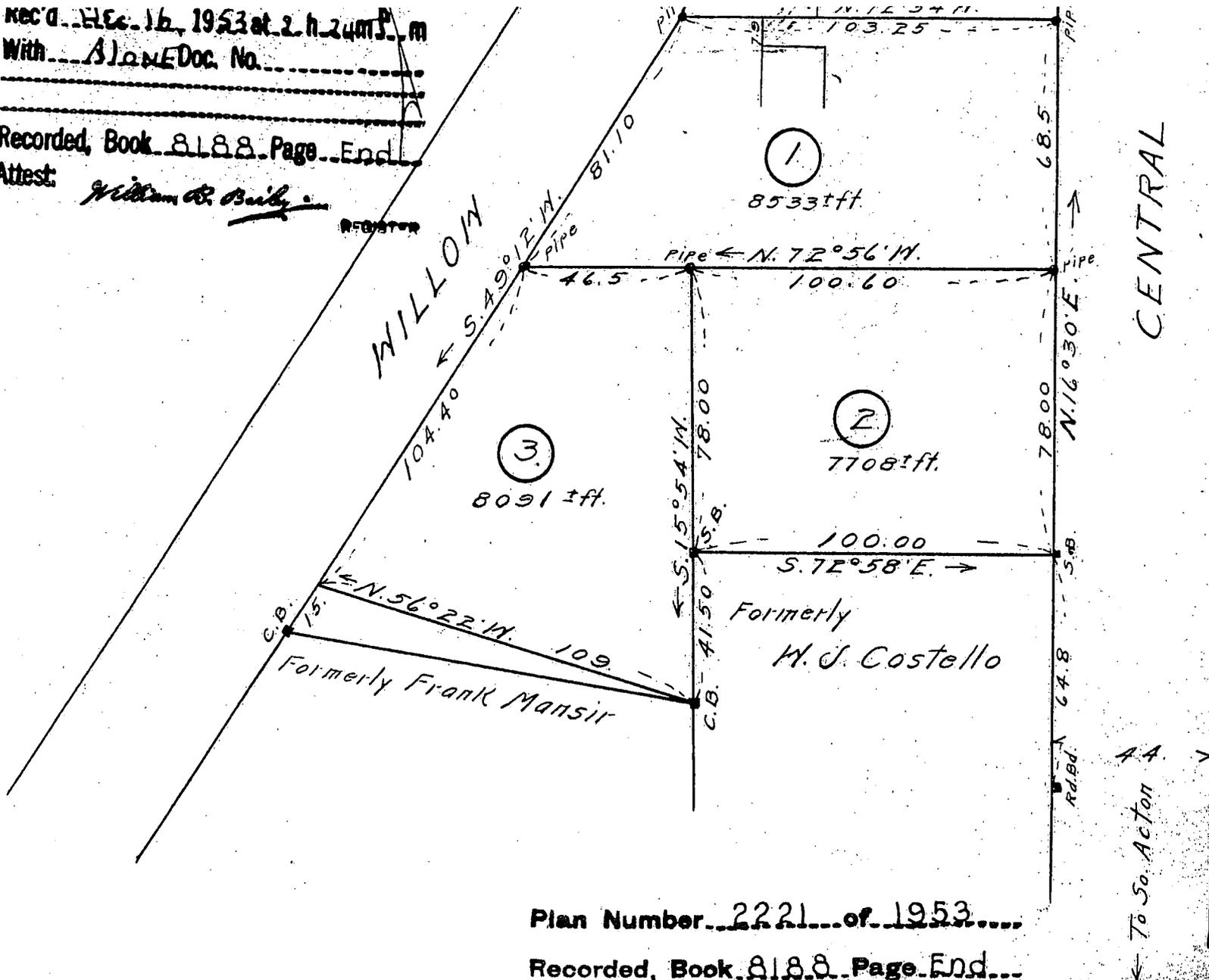
TARGET PROPERTY:	28 Willow Street	CUSTOMER:	O'Reilly, Talbot & Okun
ADDRESS:	28 Willow Street	CONTACT:	Mr. Bruce Nickelsen
CITY/STATE/ZIP:	Acton MA 01720	INQUIRY #:	282109.1s
LAT/LONG:	42.4715 / 71.4757	DATE:	August 11, 1998 7:05 pm

rec'd. Dec. 16, 1953 at 2.11.24 P.M.

With Blank Doc. No.

Recorded, Book 8188 Page End

Attest: William B. Bailey REGISTER



Plan Number 2221 of 1953
Recorded, Book 8188 Page End

2221 of 1953



TOWN OF ACTON
P.O. Box 681
Acton, Massachusetts, 01720
Telephone (978) 263-4776
Fax (978) 266-1408

Acton Community Housing Corporation
Nancy Tavernier, Chairman

TO: Board of Selectmen
FROM: Nancy Tavernier
SUBJECT: Request for BOS endorsement of DHCD grant application
DATE: July 9, 2004

The ACHC is applying to the state Priority Development Fund program seeking funds to perform a feasibility and preliminary design for the town-owned land on Willow and Central. This new one-time program is being administered by DHCD and MassHousing. They are making available \$3 million in planning assistance to communities seeking to increase housing production. They are eager to allocate these funds as soon as possible on a first-come, first-served basis and want to have them committed within the next 12 months. I recently attended an info session for the program and heard that only two applications had been filed. We have a good chance to be selected.

Priority will be given to applications that address or encourage new housing production within town centers, on brown fields, using both sustainable development and Smart Growth principles. The parcel on Willow and Central, in the West Acton Village area, jumped out at us as a perfect project for these funds. Even though CPA funds of \$25,000 have been appropriated for a feasibility study for this site, I am sure the Town would be grateful to have them be supplanted or supplemented with state funding. The maximum amount that can be requested from this fund is \$50,000. I am working to get hard figures for the four tasks we have identified so that the request can be fairly accurate.

Because the Board does not meet again until August, I need to have your endorsement on July 12. I plan to submit the application by July 16. A signed letter from the Chief Elected Official MUST be filed with the application. I have been working with Roland and Doug on the application and have it 90% complete except for the budget figures. Roland will read the final draft and anyone else is welcome to see it. Here is a synopsis of the proposal:

“The Acton Community Housing Corporation (ACHC) is seeking \$50,000 (TBD ?) to hire expert consultants to prepare a financial feasibility study for two adjoining parcels of land located at 28 Willow Street and 214 Central Street in West Acton village. As the town’s affordable housing committee, the ACHC would like expert assistance in determining the best means for creating up to four affordable housing units on the site. This study would examine all aspects of the project: rental vs. condominiums, gap funding sources, eligible household income range, building design and floor plan options, site design, mix of unit sizes, wastewater disposal options, and financial viability of the proposed development. The intention is to put

the property out to bid with a very specific RFP that would meet the criteria determined to be viable by the Town, based on the feasibility study results. We also seek funding to have a Request for Proposals (RFP) prepared by a consultant to expedite the disposition of the property.”

I have included a draft letter that ACHC proposes for Chairman Hunter’s signature. Any other version of the letter is fine with us, the Chairman’s signature is the important thing.

We hope you will support our grant request. Thank you.

BOS letterhead

Miryam Bobadilla
DHCD
100 Cambridge Street, Suite 300
Boston, MA 02114

July 12, 2004

Dear Ms Bobadilla:

The Acton Board of Selectmen voted on July 12, 2004 to endorse the application for Priority Development Funds submitted by the Acton Community Housing Corporation, a Selectmen-appointed town board.

The Town seeks these funds to determine the feasibility of developing a specific parcel of town-owned land for multi-family housing that would contain up to four family units with a mix of household incomes. To determine the viability of the proposal, the Town will need to have a consultant prepare a financial feasibility study, a preliminary architectural and site plan design, a site evaluation, and a Request for Proposals that can be used for purposes of public bid requirements. The Town has invested significant funds in remediating this site and seeks to maximize its potential for redevelopment.

Acton has recently completed an EO418 Community Development Plan that lays out options for creating more affordable housing choices. Among these options are the development of town-owned land, creating affordable units in the village core areas, using Smart Growth principles, and building small scale properties that are consistent with the neighborhood character. These specific options would be met with the development of this parcel of land. Pre-development planning is needed to maximize the potential redevelopment of this land. This effort will serve as a template for future development opportunities in similar scale projects across the Town.

Acton has an active local housing partnership group, the ACHC, who have toiled for years to increase affordable housing opportunities in this wealthy suburban setting. As the cost of land increases, the Town falls further and further behind in meeting the housing needs of the community. The infusion of state funds from the Priority Development Fund would be a great shot in the arm for housing advocates in the community and would help ensure the success of this proposed development.

Thank you for your consideration of our Town's request for funding.

Sincerely,

F. Dore' Hunter, Chairman
Acton Board of Selectmen



TOWN OF ACTON
472 Main Street
Acton, Massachusetts, 01720
Telephone (978) 264-9612
Fax (978) 264-9630

F. DORE' HUNTER, Chairman
Acton Board of Selectmen

July 13, 2004

Miryam Bobadilla
DHCD
100 Cambridge Street, Suite 300
Boston, MA 02114

Dear Ms Bobadilla:

The Acton Board of Selectmen voted on July 12, 2004 to endorse the application for Priority Development Funds submitted by the Acton Community Housing Corporation, a Selectmen-appointed town board.

The Town seeks these funds to determine the feasibility of developing a specific parcel of town-owned land for multi-family housing that would contain up to four family units with a mix of household incomes. To determine the viability of the proposal, the Town will need to have a consultant prepare a financial feasibility study, a preliminary architectural and site plan design, a site evaluation, and a Request for Proposals that can be used for purposes of public bid requirements. The Town has invested significant funds in remediating this site and seeks to maximize its potential for redevelopment.

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Thank you for your consideration of our Town's request for funding.

Sincerely,


F. Dore Hunter, Chairman
Acton Board of Selectmen

To: "Bobadilla, Miryam \(\OCD\)" <Miryam.Bobadilla@state.ma.us>
From: Tavernier <ntavern@comcast.net>
Subject: RE: Acton application for Priority Development Fund
Cc:
Bcc:
Attached:

Hi Miryam,

Yes, I am back and had a delightful 2 weeks in the Berkshires. I had given Roland Bartl a call while I was away and heard that you had called him about the CPA appropriation. I was hoping I would be able to present our case and our thinking to you in regard to the CPA funds vs the PDF. Thank you for giving me a chance to make a pitch, albeit a long response.

First a little background on the CPA process. This year was the first year for appropriating the CPA funds in Acton. We were all very green at the process and it was a hurried effort. Proposals for the use of the funds were due November 2003, were presented to the committee in January, received committee recommendations in March and were voted by Town Meeting April. ACHC requested \$75,000 for a housing fund and \$25,000 for a feasibility study for the town owned land on Willow and Central. This town owned parcel has been in limbo for a long time and we really wanted to get it pushed to the forefront. We asked for a quote from one consultant for the study work we thought was needed and plugged in his \$25,000 number. The final CPA housing recommendations for ACHC were \$25,000 for the study and \$25,000 for the housing fund, less than we had requested. Town Meeting approved the requests.

To dispense with the housing fund first, the FY2004 \$25,000 has been earmarked by the ACHC for use in: 1. buying down the selling price of two affordable units in a new 40B development by funding sewer betterments worth \$15,000 total, and 2. to extend the EO 418 Housing consultant to develop a comprehensive permit policy statement that will be endorsed by the Selectmen and Planning Board and will become a blueprint for future affordable housing development. We estimate that will be \$10,000. That will deplete the Housing Fund for this fiscal year. Eventhough Town Meeting voted to establish an endowed housing fund that would grow, the Town Treasurer ruled that we could not do that so we have not been able to establish a housing fund as we proposed. We expect to request more funds in FY2005 for the same general purposes proposed this year.

So that leaves \$25,000 to apply toward the Willow/Central St. project. After the successful appropriation was made for this purpose in April, we began to frame a RFP to get the feasibility study underway. In early June, the notice of the Priority Development Fund was sent out to us and it seemed like a program that was ready made for this project: it was a "brownfields" site, in a village area, smart growth characteristics, redeveloping an existing property, multifamily housing permitted, and the density a perfect fit for the neighborhood. Needless to say, if the PDF had come out first, we would have applied to that instead of the CPA. When I attended the workshop you gave in Westboro, I mentioned to you that we had voted CPA funds for this purpose but could very easily use them to make the project more affordable in other ways and that I hoped that would not harm our chances to get state funds. You encouraged me to apply in any case. Our intention is to request more CPA funds in 2005 to help offset the total development costs and to pay back the town for their \$125,000 clean-up cost which was promised to the town meeting voters in 1998 when the original clean-up costs were voted. If awarded the PDF, we would use the CPA \$25,000 as part of this reimbursement to the Town even though it would have to be re-voted at a future town meeting. When we began to take a closer look at the feasibility process from beginning to end, we discovered that \$25,000 would not cover the full cost of the planning that was needed which is why we requested \$35,000 in PDF. Regardless of the source of funds, we will need to spend an additional \$10,000 to have the detail we need for the RFP and to review the bidding process.

Now for the pitch:

1. The Acton Community Housing Corporation has been in existence for 19 years, we have a dedicated core of members many of them professionals in the field. For all of our years of effort, all we have to show for moderate income housing is 19 units of home ownership units and an additional 3 units of low income rentals in an assisted living facility. Of those 19 units, only 7 were a result of Chp. 40B projects, the rest were "begged" from developers who provided them both on site in their subdivisions or in scattered sites around town. We had a good working relationship with local developers but that was all before the dramatic increase in property values in the mid-90's. There have been no concessions granted to us since except under future 40B's. Fortunately, Betty McManus and the Acton Housing Authority have an excellent record in providing low income rental units and because we can count their 155 units, giving us a total of 177 40B units, Acton is at 2.32%. Pretty pathetic.

2. Acton desperately needs more affordable housing, 760 units would bring us to 10%, we are at 177. It's never going to happen, we all know that. Our school system is in the top 5 in the state, that's what is attracting so many families to our town. ACHC would like to see 4 affordable families have the same access to this great educational opportunity and we want to use this project to keep families here or invite them into the community. What makes the Willow/Central project so important is that we see it as an opportunity to build a 4 unit project with all 4 units "affordable", ranging from 60% of the AMI to a below market opportunity at 110-120% AMI. We DO NOT need any more market units in this town, we have more than enough. Because this is public land being used for a public purpose, our goal is to make it all as affordable as financially feasible. To do that, we have to scoop up every available subsidy there is for the development otherwise it would go to a private developer who would most likely only provide one affordable unit. That is what the PDF would mean to the project. If the full \$35,000 is granted for the pre-development phase, that allows an additional subsidy of \$25,000 (CPA) to be applied to the affordability of the project as identified by the study.

3. ACHC is considering being the developer of this project. We have the talent on our committee to do the work and we are ready to have a hands-on experience. We think there is a possibility of a private gift of funds that would subsidize one or more of the units. That gift is not available to a private developer. An award of state money to this project would be a great shot in the arm and would reward our efforts. It may seem like a small amount of money to DHCD and MassHousing but to us it sends a strong message of support. We are frustrated that our years of work have not borne more fruit. We are attempting to develop a vacant school into an 18 unit rental project with a long term land lease but that project has been dead in the water for a year due to an Attorney General "opinion" about public construction rules applying to a private developer.

4. We are a suburban community, we do not enjoy generous state funding for anything. We cannot compete with cities especially when it comes to access to housing funds. We have never used state funds for moderate income housing. Our property taxes are the 15th highest in the state with the average single family tax bill at \$6549. We cannot count on our taxpayers to subsidize affordable housing. We are often considered "too wealthy" for state funding but it is that lack of state funding that boosts our local property taxes to fill in the gap. In the recently completed Housing Plan, it was discovered that the percentage of cost burdened low and moderate income households in Acton is much higher than in a majority of the County's towns or the state as a whole. It highlights the need for producing as much affordable housing as possible even in a project as small as this one.

So, Miryam, that is my pitch to you about the importance of granting Acton the PDF funds in spite of the appropriation of CPA funds available to us. There is much more at stake here than funding. What keeps us working on affordable housing is the look of Hope in the eyes of eligible first time homebuyers. ACHC also has Hope that we can develop our first public housing effort in the town and that it will be something we will all be

very proud of.

Thank you for giving me the chance to better explain our thoughts on this proposal.

Nancy Tavernier

At 04:22 PM 8/9/2004, you wrote:

Hi Nancy: I hope you are back and had a nice vacation. As you know one of the review criteria is demonstrated need for the assistance, in your application under NEED you mention that the CPA recommended and Town Meeting appropriated \$50,000 from CPA fund for future housing initiatives. However, reading Acton CPA program appropriations, it reads \$25,000 for the J.214 Central and 28 Willow Streets Feasibility Study and another \$25,000 for K Community Housing Fund your organization can use in diverse ways. However you list all sources of for this project from PDF. I also understand from your application that your organization will request further funds from CPA in 2005. Could you please clarify all these issues for us. thank you Miryam

—Original Message—

From: Tavernier [<mailto:ntavern@comcast.net>]
Sent: Friday, July 16, 2004 9:53 AM
To: Bobadilla, Miryam (OCD)
Cc: rbartl@acton-ma.gov, djohnson@acton-ma.gov
Subject: Acton application for Priority Development Fund

Dear Miryam,

Attached is an application from the Town of Acton requesting funds for planning and predevelopment studies that would lead to the production of up to 4 new housing units on town-owned land. I have also attached photos of the site in its current condition. We would welcome a site visit from DHCD and Mass Housing.

Approval for the application has been given by the Acton Board of Selectmen and a letter from the Chairman will be on its way today.

Thank you for your consideration.

Nancy Tavernier, Chair
Acton Community Housing Corporation
978-263-9611

To: "Bobadilla, Miryam (OCD)" <Miryam.Bobadilla@state.ma.us>
From: Tavernier <ntavern@comcast.net>
Subject: RE: Acton application for Priority Development Fund
Cc:
Bcc:
Attached:

Hi Miryam,

You may not see this before we meet tomorrow but this is my initial response. I will also discuss this with the ACHC, we are meeting Thursday of this week.

I am not sure what you mean by ACHC being the project sponsor. We are a town board so we expect the sponsor to be the Town of Acton. It was my understanding that only municipalities could be sponsors. Under the Home Rule petition that established our town board, which was previously a private non-profit, we have the power to hold property and develop it. However, to switch to that mode now would very much complicate this project.

I do not think we will be able to determine whether or not ACHC can be the developer until after the feasibility study is completed. If the study shows that the gap funding required to make the project affordable is too great, we would most likely go the private developer route and would expect the BOS to sell the property for the purposes laid out by the feasibility study and the ACHC. That most likely would be 4 units of housing with 1 unit affordable.

Our application is asking for funding specifically for the feasibility study (which was quoted at \$25,000 by Ed Marchant and COG, Inc.). In addition to the study, we need to have a preliminary wastewater disposal design done to determine the footprint of the building after the number of bedrooms and lay-out of the leaching-field on the lot is determined. That has been quoted at \$5000 by the Health Director of the town. Once that is determined, a preliminary design of the building and the unit floor plans is needed to set the project cost which will then be used for the feasibility study. That has been quoted by a local architect as \$5000.

If ACHC decides (with BOS permission) to be the developer, we would need technical assistance throughout the process and would put the project construction out to bid, no longer a RFP but rather a RFQ.

The Selectmen do not meet again until Sept. 13 but in any case I am certain they would not make such a decision, to transfer the property to ACHC, before the feasibility study was completed and they had reviewed it. There is no way I can get such a commitment from the Selectmen at this very preliminary stage of the proposal.

Speaking for myself, I would like our application to stand as is with the request for funding for: site design, architectural design, feasibility study which includes market analysis, preliminary pro forma, sources of gap funds, RFP or RFQ preparation, and technical assistance for proposal review and developer/builder designation.

I look forward to your visit tomorrow.

Nancy

At 05:20 PM 8/17/2004, you wrote:

Nancy: We may be able to discuss some of these issues tomorrow but I thought I should mention them so

you can think about it or ask the members of the ACHC.

1) I am assuming that there is an amendment to your application to include the fact that ACHC will be the project sponsor. Would you then plan to issue an RFP to hire a contractor. If not the \$25,000 you requested for the feasibility study /RFP/and Selection of developer is much higher than just the feasibility study.

2) Also can you make sure that the Selectmen will be able to transfer the site to the ACHC. Is this what the ACHC is proposing to do and if so can we get a letter from the selectmen stating this fact.

I hate to be bureaucratic but I think with the ACHC as the sponsor, this is a different project and a different application. I know the Selection Committee will ask me to answer to all these question. Thank you! Miryam



Massachusetts Housing Finance Agency
One Beacon Street, Boston, MA 02108

TEL: 617.854.1000 | FAX: 617.854.1029
TDD: 617.854.1025 | www.masshousing.com

October 7, 2004

Nancy Tavernier, Chair
Town of Acton
472 Main Street
Acton, MA 01720

Dear Ms. Tavernier:

Enclosed please find a Priority Development Fund: Planning Assistance for Housing Production Award Letter as well as two (2) copies of the Technical Assistance Program Contract. Please have the contracts executed where indicated and return them to me so that I may have them signed by Tom Gleason. I will return a fully executed contract to you.

Please feel free to contact me at 617-854-1886 if you have any questions. Thank you for your assistance in this matter.

Sincerely,

Laurie Rizzelli
Executive Assistant



October 7, 2004

F. Dore' Hunter, Chairman
Board of Selectmen
472 Main Street
Acton, MA 01720

Dear Chairman Hunter:

We have received and reviewed your application to the Priority Development Fund: Planning Assistance for Housing Production. Your application consists of the redevelopment of two adjoining derelict parcels of land in West Acton Village within 1.3 miles from South Acton Commuter rail station. We are pleased to provide the Town of Acton with planning assistance of up to \$25,000. Our assistance is provided in two stages: First \$10,000 is initially available to facilitate the determination of wastewater disposal and preliminary site planning. Second, if the studies determine that the site is buildable, DHCD/MassHousing will provide the additional planning assistance of \$15,000 to facilitate the development of this project.

Your application has been approved subject to the fulfillment of the following scope of services and conditions listed below:

- | | |
|---|----------|
| 1. Preliminary design of site and Septic System | \$ 5,000 |
| 2. Preliminary architectural design | \$ 5,000 |
| TOTAL: | \$10,000 |

If it is determined that the site is buildable, the town must apply to DHCD/MassHousing to amend the contract to include an additional \$15,000 in order to facilitate the hiring of a consultant to assist the town in determining whom and how to develop the property, including final site plan, financial feasibility, who is final owner, etc. DHCD will review the scope of services for this additional activity.

Consistent with the guidelines for this program, we were pleased to see that several of the Principles of Sustainable Development were met, including: redevelop first, concentrate development, restore and enhance the environment, expand housing opportunities, and provide transportation choice.

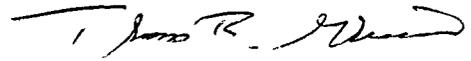
This assistance is dependent upon an executed contract between the Town of Acton and MassHousing.

We are looking forward to the results of your project and the creation of housing opportunities in Acton. Please contact Miryam Bobadilla at 617-573-1356 for further assistance.

Sincerely,



Jane Wallis Gumble
Director
Department of Housing and
Community Development



Thomas R. Gleason
Executive Director
MassHousing

cc: Senator Pamela P. Resor
Representative Cory Atkins

TECHNICAL ASSISTANCE PROGRAM CONTRACT

Municipality: Town of Acton, Massachusetts

Technical Assistance Amount: \$10,000 (Phase I)*

THIS CONTRACT FOR TECHNICAL ASSISTANCE ("Technical Assistance") is made as of this ____ day of October 2004, by and between the municipality designated above ("Municipality") and the MASSACHUSETTS HOUSING FINANCE AGENCY ("MassHousing").

WHEREAS, in order to increase the overall supply of housing in Massachusetts by encouraging community-based planning that will lead directly to housing production, MassHousing has established a Priority Development Fund Technical Assistance Program (the "Fund") through which MassHousing will make available Three Million Dollars (\$3,000,000.00) in planning assistance to communities seeking to increase housing production; and

WHEREAS, the Department of Housing and Community Development ("DHCD"), having a well-established record of expertise in municipal planning, has agreed to assist MassHousing in evaluating applications for technical assistance grants from the Fund and administering the Fund; and

WHEREAS, the Municipality has applied for technical assistance from the Fund pursuant to the application developed by DHCD, and DHCD has recommended that the Application be funded to the extent of the Technical Assistance amount noted above; and

WHEREAS, MassHousing has agreed to provide Technical Assistance, and the Municipality has agreed to accept the Technical Assistance, on the terms and conditions of this Contract.

NOW, THEREFORE, in consideration of the premises and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Municipality and MassHousing hereby agree as follows:

1. Technical Assistance Amount. MassHousing hereby agrees to provide to the Municipality, to be disbursed and used strictly in accordance with this Contract, Technical Assistance in the amount indicated above.

* In accordance with the PDF Award Letter, \$10,000 is to be disbursed to facilitate the determination of wastewater disposal and preliminary site planning; if, but only if, the studies determine that the site is buildable, the Town of Mendon must apply to DHCD/MassHousing to amend the contract to include an additional \$15,000 in order to facilitate the development of this project.

2. Use of Technical Assistance; Procedures for Disbursement. The Municipality shall use the Technical Assistance solely for payment of the cost of planning activities described in the Application. Such planning activities may be conducted in phases, and invoices for payment of work performed may be submitted periodically to MassHousing with a copy to DHCD at the following addresses:

MassHousing
One Beacon Street
Boston, Massachusetts 02108
Attention: David Pottier, Budget Specialist

Department of Housing and Community Development
100 Cambridge Street, Suite 300
Boston, Massachusetts 02114
Attention: Toni Coyne Hall, Associate Deputy Director

3. Conditions of Award.

a. The Municipality shall procure planning services in accordance with all state and municipal procurement requirements. This condition shall be deemed satisfied if the Municipality accepts the services of a planning consultant selected by DHCD from the list of DHCD-approved consultants under Executive Order 418.

b. Each submission of an invoice for payment shall constitute a certification by the Municipality that the charges stated therein: (1) were properly incurred and used for planning activities described in the Application; and (2) were not the subject of any prior invoice.

c. The Municipality shall share the results of its planning activities funded by the Technical Assistance with MassHousing, DHCD and other municipalities, as requested.

d. The Municipality agrees that it shall not invoice MassHousing for any sums in excess of the Technical Assistance amount indicated above. Any obligations to third parties in excess of the Technical Assistance amount shall be the sole obligation of the Municipality.

e. The Municipality shall have eighteen months from the date of this Contract to complete the planning activities described in the Application and deliver invoices for the work. Any portion of the Technical Assistance not disbursed within eighteen months from the date of this Contract shall no longer be available to the Municipality without the prior approval of MassHousing.

[Remainder of Page Left Intentionally Blank]

EXECUTED under seal as of this ____ day of October 2004.

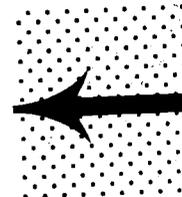
MASSACHUSETTS HOUSING FINANCE AGENCY

By: _____
Thomas R. Gleason, Executive Director

MUNICIPALITY:

TOWN OF ACTON

By: _____
Name:
Title: (Chief Elected Official)





Massachusetts Housing Finance Agency
One Beacon Street, Boston, MA 02108

TEL: 617.854.1000 | FAX: 617.854.1029
TDD: 617.854.1025 | www.masshousing.com

October 19, 2004

Nancy Tavernier, Chair
Town of Acton
472 Main Street
Acton, MA 01720

Dear Ms. Tavernier:

Enclosed for your records please find a fully executed Priority Development Fund Technical Assistance Program Contract dated October 15, 2004 in the amount of \$10,000.

Please feel free to contact me at 617-854-1886 if you have any questions. Thank you for your assistance in this matter.

Sincerely,

Laurie Rizzelli
Executive Assistant

cc: Mary Jane Gandolfo, DHCD
Sarah Hall, MassHousing
David Pottier, MassHousing

TECHNICAL ASSISTANCE PROGRAM CONTRACT

Municipality: Town of Acton, Massachusetts

Technical Assistance Amount: \$10,000 (Phase I)*

THIS CONTRACT FOR TECHNICAL ASSISTANCE ("Technical Assistance") is made as of this 15th day of October 2004, by and between the municipality designated above ("Municipality") and the MASSACHUSETTS HOUSING FINANCE AGENCY ("MassHousing").

WHEREAS, in order to increase the overall supply of housing in Massachusetts by encouraging community-based planning that will lead directly to housing production, MassHousing has established a Priority Development Fund Technical Assistance Program (the "Fund") through which MassHousing will make available Three Million Dollars (\$3,000,000.00) in planning assistance to communities seeking to increase housing production; and

WHEREAS, the Department of Housing and Community Development ("DHCD"), having a well-established record of expertise in municipal planning, has agreed to assist MassHousing in evaluating applications for technical assistance grants from the Fund and administering the Fund; and

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WHEREAS, MassHousing has agreed to provide Technical Assistance, and the Municipality has agreed to accept the Technical Assistance, on the terms and conditions of this Contract.

NOW, THEREFORE, in consideration of the premises and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Municipality and MassHousing hereby agree as follows:

1. Technical Assistance Amount. MassHousing hereby agrees to provide to the Municipality, to be disbursed and used strictly in accordance with this Contract, Technical Assistance in the amount indicated above.

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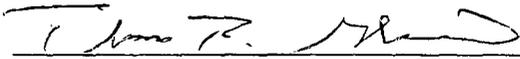
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e. The Municipality shall have eighteen months from the date of this Contract to complete the planning activities described in the Application and deliver invoices for the work. Any portion of the Technical Assistance not disbursed within eighteen months from the date of this Contract shall no longer be available to the Municipality without the prior approval of MassHousing.

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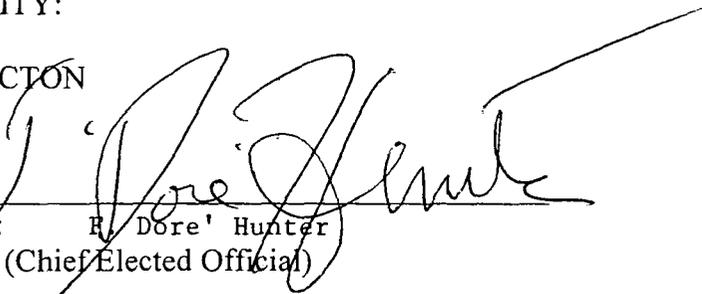
EXECUTED under seal as of this 15th day of October 2004.

MASSACHUSETTS HOUSING FINANCE AGENCY

By: 
Thomas R. Gleason, Executive Director

MUNICIPALITY:

TOWN OF ACTON

By: 
Name: R. Dore' Hunter
Title: (Chief Elected Official)



Town of Acton
 472 Main Street
 Acton, Massachusetts 01720

Purchase Order

Fiscal Year 2005

Page 1

THIS NUMBER MUST APPEAR ON ALL INVOICES, PACKAGES AND SHIPPING PAPERS.

Purchase Order # **20051346-00**

Sales Tax Exempt Number 04-6001062

Invoice in triplicate to department head.

Vendor

GPR CIVIL & STRUCTURAL ENGINEERING
 39 MAIN STREET, SUITE 301
 AYER, MA 01432

Ship To

PLANNING BOARD
 TOWN OF ACTON
 472 MAIN STREET
 ACTON, MA

01720

See reverse side for our Terms & Conditions of purchase.

Vendor Phone Number		Vendor Fax Number		Requisition Number		Delivery Reference	
				20051585		Planning Department	
Date Ordered	Vendor Number	Date Required	Freight Method/Terms		Department/Location		
11/04/04	006889				PLANNING		
Item #	Description/Part Number			Unit/Qty	Cost Each	Extended Price	
	28 Willow & 214 Central Streets Preliminary Engineering, Survey The Scope of Services includes a Task Summary and Task Descriptions of Services to be provided by GPR to meet your near term needs as currently understood. The Conditions of PSA covers details of the Agreement including fee estimates, payment terms, construction services, and other important items. RE: Refer to attached Scope of Services and proposal dated Oct. 27, 2004.						
001	Documentation Review			1.0	100.00000	100.00	
	3354-521900			EA		100.00	
002	Official Soil testing			1.0	600.00000	600.00	
	3354-521900			EA		600.00	
003	Topographic Survey			1.0	1200.00000	1,200.00	
	3354-521900			EA		1,200.00	
004	Theoretical Site Plan			1.0	1400.00000	1,400.00	
	3354-521900			EA		1,400.00	

I certify that the expenditure contemplated by this document is within the purpose of the budget accounts to which it is to be charged, and that there is an unencumbered balance of available funds, in said budget, to pay therefore.

Vendor Copy

Approved

 Department Manager
John Curvey III
 Treasurer

Approved

Approved

Don R. Johnson

 Town Manager



Town of Acton
472 Main Street
Acton, Massachusetts 01720

Purchase Order

Fiscal Year 2005

Page 2

THIS NUMBER MUST APPEAR ON ALL INVOICES, PACKAGES AND SHIPPING PAPERS

Purchase Order # **20051346-00**

Sales Tax Exempt Number 04-6001062

Invoice in triplicate to department head.

V
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GPR CIVIL & STRUCTURAL ENGINEERING
39 MAIN STREET, SUITE 301
AYER, MA 01432

S
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PLANNING BOARD
TOWN OF ACTON
472 MAIN STREET
ACTON, MA 01720

See reverse side for our Terms & Conditions of purchase.

Vendor Phone Number		Vendor Fax Number		Requisition Number		Delivery Reference			
				20051585		Planning Department			
Date Ordered		Vendor Number		Date Required		Freight Method/Terms		Department/Location	
11/04/04		006889						PLANNING	
Item #	Description/Part Number			Unit/Qty	Cost Each	Extended Price			
005	Sewage Disposal System Design			1.0	1500.00000	1,500.00			
	3354-521900			EA		1,500.00			
					PO Total	4,800.00			

I certify that the expenditure contemplated by this document is within the purpose of the budget accounts to which it is to be charged, and that there is an unencumbered balance of available funds, in said budget, to pay therefore.

Vendor Copy

Approved

Department Manager

Approved

John Conway III
Treasurer

Approved

Don P. Johnson
Town Manager

Purchase Order



Town of Acton
472 Main Street
Acton, Massachusetts 01720

Fiscal Year 2005

Page 1

THIS NUMBER MUST APPEAR ON ALL INVOICES, PACKAGES AND SHIPPING PAPERS	
Purchase Order #	20051346-00

Terms and Conditions

The following terms and conditions and any specifications, drawings and additional terms and conditions which may be incorporated by reference or appended hereto are part of this purchase order. By accepting this order or any part thereof, the Seller agrees to and accepts all terms and conditions.

1. Invoice in triplicate (3) to the Department listed.
2. Purchase order number must appear on all invoices, bills of lading, packing lists, packages and correspondence or invoice will be returned.
3. Each purchase order must have a separate invoice. Price increase of more than 10% or \$20.00 must have written approval before filling order.
4. The Seller understands the authorized representative of the Buyer is the Purchasing Agent and that all contract offers and adjustments must be processed through this individual.
5. The Seller agrees to notify the Buyer immediately of any item(s) which cannot be delivered by the due date stated on the purchase order. The Seller understands the Buyer reserves the right to cancel the purchase order in its entirety, return goods to the Seller, and request refund of all paid monies should the Seller be unable to deliver all goods by the specific due date.
6. Unless otherwise specified, all good will be shipped F.O.B. Town of Acton, the Seller agrees regardless of the point of shipment or terms of payment of transportation charges to prepay all said charges, accept responsibility for loss or damage to goods during shipment, inventory goods upon receipt by the Buyer, and process all pursuant freight claims with carriers.
7. All deliveries must be made to the Department ordering the goods within the Town of Acton. Times deliveries will be accepted are weekdays, excluding holidays, between the hours of 8:00 AM and 4:00 PM. The Seller understands that unless it is authorized on the reverse side of this purchase order, no deliveries may be made to any location of the Buyer other than the Department ordering the goods. The Seller further understands the Buyer accepts no responsibility to acknowledge nor pay for goods delivered to any location other than the Department ordering the goods.
8. The Seller agrees the purchase price includes packing, unloading, uncrating and movement to the site of installation for all equipment orders.
9. The Seller agrees to accompany all shipments with minimum of one packing slip identified by purchase order number. Separate itemized invoices will be mailed by the Seller to the Department ordering the goods on behalf of the Town of Acton.
10. The Seller understands the terms for payment will begin from the date of receipt of goods (for supply orders) or installation or written acceptance by the Buyer (for equipment orders), or receipt of invoices, whichever shall be later.
11. The Seller understands the Buyer will not make payment until all Terms and Conditions of this purchase order have been met. Including the receipt of all goods by the Buyer. The buyer agrees to accept invoices on partial shipments but will not make payment until all goods have been received. The Seller further agrees to not invoice articles on this purchase order with those on other purchase orders.
12. Unless otherwise specified the Seller understands transfer of ownership shall occur at the point of receipt of goods by the Buyer (for all supply items) or the point of written acceptance by the buyer based upon demonstrated ability of goods to meet the requirements of the Buyer (for all equipment items).
13. The seller agrees prior to the acceptance of this order to make notice in writing at the time and all changes required to raise the level of adequacy or fitness of the goods and cancellation of the order at no charge to the buyer.
14. The Seller agrees to accept this order that has been provided full opportunity to tour the premises of the Buyer and acknowledge he has full understanding of the requirements of the goods.
15. The Seller warrants equipment will meet any and all applicable city, state and federal safety, electrical and seismic codes and regulations. Electrical equipment will be double insulated or have a 3-prong plug.
16. The Seller agrees to provide the Buyer with (3) three copies each of operating manuals, maintenance manuals, wiring diagrams, schematic plans, installation plans and bulletins for each piece of equipment provided.
17. The Seller agrees to provide training to the personnel of the Buyer in the proper operation and application of the goods. Such training shall be of adequate quality, duration, format and schedule as prescribed by the Buyer.
18. The Seller agrees all installation and service personnel will be fully-qualified and will assist in avoiding interference with other contractors or personnel of the Buyer. The Seller agrees to have its superintendent on premises throughout the installation period.
19. The Seller agrees prior to the acceptance of the order to make the Buyer aware (in writing) of any interruption of service that will occur in the operations of the Buyer as a result of installation of equipment. Unanticipated interruptions occur at the risk of the Seller, and may result, if deemed necessary by the Buyer, in cancellation of the order, removal of all equipment and refund of any monies paid by the Buyer.
20. The Seller agrees that all contractual agreements are to be governed by the laws of the State of Massachusetts.
21. The Seller agrees that all contractual agreements or blanket orders may be cancelled at any time by the Seller with or without cause with 30 days written notice.
22. The Seller agrees that all capital expenditures stated on the reverse side of this order must be invoiced and goods received no later than May 31st of the existing fiscal period (July 1 - June 30) in order to validate the purchase.
23. The Seller agrees to the terms of payment provision as stated on the reverse side of this order.
24. The Seller agrees that one year parts and labor equipment warranty is deemed to be standard unless otherwise stated on the reverse side of this order.
25. The Seller warrants goods will meet or exceed specifications of current product data sheets, sales literature, or other applicable documents as may or may not be referenced in this order.
26. The Seller agrees throughout the warranty period to provide a service response time of four hours or less for all repairs requested by the Buyer.
27. In the event any article sold and delivered hereunder shall be covered by any patent, copyright or application thereof, the Seller will indemnify and save harmless the Buyer from any and all loss, cost or expense on account of any and all claims, suits or judgments on account of the use or sale of article in violation of rights under such patent, copyright or application.
28. Seller agrees to indemnify, defend and hold harmless Buyer, its trustees, officers, agents and employees of, from and against any and all claims and demands as may arise in any way out of the furnishing of goods or service hereunder, including, without limitation, claims and demands arising from injury to or death of personnel of Buyer or for damages to the property of buyer, except those arising by reason of the negligent or willful act of Buyer, its trustees, officers, agents or employees.
29. The Seller agrees not to use the name of the Buyer or to quote the opinion of Buyer's employees in any advertising without obtaining the prior written consent of Buyer.
30. The Seller understands the Buyer may at any time insist on strict compliance with these terms and conditions notwithstanding any previous custom, practice or course of dealing to the contrary.
31. The Seller understands completely the nature of this order and all matters which can in any way effect the order, and is not relying on any representation or promises to or by the Buyer except those contained in this agreement.
32. Clerical errors contained in this order are subject to correction by the Buyer.
33. The Seller agrees these terms and conditions are final and binding and supersede many conflicting terms and conditions as may exist in other documents of the Buyer and Seller. Waiver to any of these terms and conditions will only be accepted by the Buyer if stated in writing and specified as an exception by the Seller or the Buyer and signed subsequent thereto by the Buyer.
34. Terms used throughout the entirety of this order, such as Buyer, Town, Acton, Town of Acton and other terms are meant to reflect the authorized party of this contract stated as follows, Town of Acton, 472 Main Street, Acton, MA 01720.
35. The Seller agrees through shipment of goods or acknowledgment in writing that he has read, understood and agreed to comply with the terms and conditions set forth herein.

GOLDSMITH, PREST & RINGWALL, INC.

39 Main Street, Suite 301
Ayer, MA 01432

Phone 978-772-1590, Fax 978-772-1591

INVOICE FOR PROFESSIONAL SERVICES

Acton Community Housing Corp.

Town of Acton, PO Box 681
Acton, MA 01720

Attn: Roland Bartl

May 27, 2005

Invoice No: 9269

Project No: 041114

Client Ref: PO# 20051346-00

Project Information:

Prelim Engineering Survey & Cost Est
Willow & Central Sts., #28 #214
Acton, MA 01720

For professional services rendered for the period April 1, 2005 to May 21, 2005
for the referenced project per signed agreement. INVOICES ARE DUE UPON RECEIPT.
Balances outstanding more than 30 days are subject to an interest charge at the rate of 1.5% per month.
PAYMENT OF ALL OUTSTANDING INVOICES SHALL BE REQUIRED PRIOR
TO RELEASE OF ANY PLANS OR OTHER WORK PRODUCTS BY COMPANY.

T5- SDS Design	1,425.00
Reimbursable Expenses	
• Copies	72.04
Total	\$1,497.04
Less: GPR consideration	(\$604.60)
Total Due	<u>\$892.44</u>

THANK YOU FOR YOUR BUSINESS.



Town of Acton
472 Main Street
Acton, Massachusetts 01720

Purchase Order

Fiscal Year 2005

Page 1

THIS NUMBER MUST APPEAR ON ALL INVOICES, PACKAGES AND SHIPPING PAPERS
Purchase Order # **20052875-00**

Sales Tax Exempt Number 04-6001062

Invoice in triplicate to department head.

Vendor

TERRENCE G HEINLEIN
1 ABERDEEN RD
WESTON, MA 02493

Ship To

PLANNING BOARD
TOWN OF ACTON
472 MAIN STREET
ACTON, MA

01720

See reverse side for our Terms & Conditions of purchase.

Vendor Phone Number		Vendor Fax Number		Requisition Number		Delivery Reference	
				20053537		Planning Department	
Date Ordered	Vendor Number	Date Required	Freight Method/Terms		Department/Location		
04/07/05	007236				PLANNING		
Item #	Description/Part Number			Unit/Qty	Cost Each	Extended Price	
	28 Willow & 214 Central Streets Preliminary Architectural Design and construction cost estimates for 3 units of affordable housing. RE: Refer to attached Scope of Services and proposal dated 3/14/2005 <i>2/16/05</i>						
	THIS PURCHASE ORDER IS NOT TO EXCEED FEE OF \$5000.00						
001	Documentation Review 3354-521900			1.0 EA	1926.00000	1,926.00 1,926.00	
002	Select preferred scheme. Develop site plan, architectural elevations, schematic construction drawings, and preliminary cost estimate. 3354-521900			1.0 EA	2052.00000	2,052.00 2,052.00	
003	Meetings with ACHC, Town Planner, Fire and Building Departments and finalize drawings and develop hard and electronic plan copies and final cost estimate 3354-521900			1.0 EA	810.00000	810.00 810.00	
					PO Total	4,788.00	

I certify that the expenditure contemplated by this document is within the purpose of the budget accounts to which it is to be charged, and that there is an unencumbered balance of available funds, in said budget, to pay therefore.

Approved

Department Manager
John Murray III
Treasurer

Approved

Approved

Don Johnson
Town Manager

Vendor Copy

Acton Community Housing Corporation

Nancy Tavernier, Chairman

TOWN OF ACTON

Acton Town Hall

472 Main Street

Acton, Massachusetts, 01720

Telephone (978) 263-4776

Fax (978) 266-1408

June 2, 2005

Miryam Bobdilla
DHCD
100 Cambridge St., Suite 300
Boston, Massachusetts 02114

Dear Miryam,

The Acton Community Housing Corporation has been working since October 2004 on our proposed redevelopment of two adjoining parcels of town-owned land in West Acton Village. The Town of Acton was awarded a grant from the Priority Development Fund for up to \$25,000 to be distributed in 2 phases. Phase 1 was for the preliminary design of the site and septic system, as well as a preliminary architectural design and cost estimate. That work has now been completed and we are ready to proceed with Phase 2.

The preliminary work has shown that the site is buildable, a septic system can be constructed that will accommodate 8 bedrooms. We are proposing 3 affordable units be constructed in a duplex and single family home configuration for a total of 8 bedrooms. This design has been worked out with full support of the abutters in the neighborhood; it was their suggestion that we make the development 100% affordable with small compact buildings consistent with the Village design.

ACHC would like to request that an amendment to the Contract between the Town and DHCD/MassHousing be approved to allow us to hire a consultant to assist in determining the financial feasibility, the form of the RFP, what funding options there are to close the funding gap, and other related issues.

On June 1, 2005, ACHC met with Rita Farrell to seek her help in determining the Next Steps. Rita has a copy of the architectural design that she will share with you. Further, Rita was a great help to us in focusing the process for us and she will be able to explain our need for additional planning assistance.

We remain quite excited about the potential for this small development to be an important Model for other suburban communities to follow. I am pasting in the comments of one of the abutters after our recent meeting with them on May 11 to give you a flavor of the local support for our design. This message went to the Acton Board of Selectmen.

From: Philip Scarbro
Sent: Wednesday, May 18, 2005 6:17 AM
To: Board of Selectmen
Subject: 28 Willow / 214 Central Property

Dear Selectmen,

I am a Willow Street resident, living directly across the street from the 28 Willow Street / 214 Central Street property. I have attended two of the three meetings organized by the Acton Community Housing Corporation relating to this property. At the most recent meeting on May 9th, ACHC members Ryan Bettez and Nancy Tavernier presented the proposed architectural plans offered by Terry Heinlein, the architect hired by ACHC.

This email is to express my support for ACHC, the process they have adopted relating to this property, the architect they hired, and the architectural plans they have proposed. At the first meeting ACHC discussed their hopes for the property, but then stepped back and solicited input from neighbors of this property. A healthy discussion followed. Many of those suggestions were incorporated into ACHC's comments during Town Meeting and reflected in the architect's recent design. Ideas included the premises that affordable housing should be appropriately sized, consistent with the character of the neighborhood, and incorporate sustainable design principles. The proposed affordable two-family farmhouse-style home on Central Street and the proposed affordable single family bungalow-style home on Willow Street achieve all of this.

My understanding is ACHC will be scheduling a meeting with the Board of Selectmen later this spring, and that one of the significant steps will be the selling of the property, which is currently owned by the town. ACHC is prepared to purchase the land at fair market value and cover other related costs. The "risk" is that if the town is compelled to obtain the highest possible price for the property a private developer may try to squeeze in a much larger 40B development. While the town might realize a bit more short-term cash by doing this, this would not be in the best interests of West Acton, it would likely increase community opposition to other projects, and it would reflect poorly on our town's ability to facilitate appropriate development.

There seems to be fairly broad support for ACHC's architectural proposal - at least from the neighbors who attended the meetings I attended. These homes would help to demonstrate how affordable housing ought to be done. This development, and indeed the overall process, would be a model that other communities in Massachusetts would aspire to replicate.

I strongly encourage the Board of Selectmen to support ACHC's efforts to proceed with the proposed plan. Thank you.

Philip Scarbro

21 Willow Street

Acton

The ACHC has an appointment with the Board of Selectmen July 18 to determine the disposition of this land. The decision rests with the Selectmen who have the authority to dispose of land taken for taxes. It would be helpful to have the feasibility study underway to provide some detailed financial information.

Thank you for your continuing support of our efforts.

Sincerely,

Nancy Tavernier, Chair
Acton Community Housing Corporation



Rec'd 7/19/05

Mr. Peter K. Ashton, Chairman
Board of Selectmen
472 Main Street
Acton, MA 01720

Dear Mr. Ashton:

The Town of Acton received a Priority Development Fund planning assistance award of up to \$25,000 for the development of two adjoining derelict parcels of land in West Acton Village. The assistance was to be distributed in two phases. Phase I involved the preliminary design of the site and septic system, as well as a preliminary architectural design with cost estimate. If Phase I studies determined that the site was buildable, the Town would then apply to DHCD/MassHousing to amend the contract to include an additional \$15,000 to undertake Phase II.

The Town has informed us that Phase I work has been completed, demonstrating that the site is buildable, that a septic system accommodating 8 bedrooms can be constructed and that the design has been worked out with full support of the abutters in the neighborhood. The Town is now requesting an amendment to their contract with MassHousing to proceed with Phase II.

Phase II will consist of obtaining the necessary permits for the project, determining financial feasibility including available funding options, development of final site plan, the form of the RFP, and other related issues. We are pleased to approve your request to amend the contract between the Town of Acton and MassHousing to provide an additional \$15,000 to allow the town to proceed with Phase II of this project.

This assistance is conditioned upon an executed contract amendment between the Town of Acton and MassHousing. The Department of Housing and Community Development will review and approve the final expenses associated with the scope of services.

Please note that the E.O. 418 Master Service Agreement will expire June 30, 2005. DHCD will not be extending this agreement. Therefore, the town must follow the M.G.L. Chapter 30B procurement process. Please submit name of vendor to DHCD prior to contract execution.

Acton PDF

Page 2 of 2

We look forward to working with the Town of Acton in the development of this project. Please contact Miryam Bobadilla at 617-573-1356 for further assistance.

Sincerely,

Jane Wallis Gumble
Director
Department of Housing and
Community Development

Thomas R. Gleason
Executive Director
MassHousing

Cc: Senator Pamela P. Resor
Representative Cory Atkins
Robert Ruzzo, MassHousing
Miryam Bobadilla, DHCD

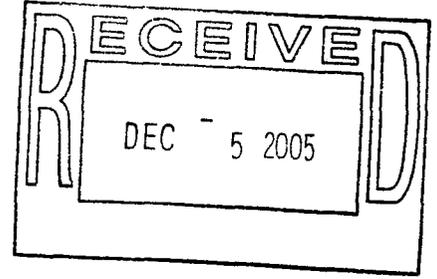


Massachusetts Housing Finance Agency
One Beacon Street, Boston, MA 02108

TEL: 617.854.1000 | FAX: 617.854.1029
TDD: 617.854.1025 | www.masshousing.com

cc: BOS
ACHC

12/6



December 2, 2005

CHRISTINE -
PLEASE SEE THAT ORIGINAL STAYS
WITH ORIGINAL CONTRACT.

Ms. Christine M. Joyce
Town Manager's Office
Town of Acton
472 Main Street
Acton, MA 01720

Dear Ms. Joyce:

Enclosed for your records please find a fully executed First Amendment to Technical Assistance Program Contract dated November 15, 2005 in the amount of \$15,000.00.

Please feel free to contact me at 617-854-1886 if you have any questions. Thank you for your assistance in this matter.

Sincerely,

Laurie Rizzelli
Executive Assistant

cc: Mary Jane Gandolfo, DHCD
Sarah Hall, MassHousing
David Pottier, MassHousing

**FIRST AMENDMENT TO
TECHNICAL ASSISTANCE PROGRAM CONTRACT**

THIS FIRST AMENDMENT TO TECHNICAL ASSISTANCE PROGRAM CONTRACT ("First Amendment") is entered into as of this 15 day of November 2005 by and between Massachusetts Housing Finance Agency ("MassHousing") and the Town of Acton ("Municipality").

WHEREAS, the parties entered into that certain Technical Assistance Program Contract (the "Original Contract") dated October 15, 2004;

WHEREAS, the Original Contract was to be performed in two phases; and

WHEREAS, Phase I of the project has been successfully completed by the Municipality; and

WHEREAS, the Municipality has requested that the Original Contract be amended to proceed with Phase II of the project;

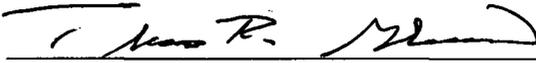
NOW THEREFORE, subject to the terms and conditions hereof and of the Agreement, and in consideration of the warranties, representations and mutual agreements therein and herein set forth, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Technical Assistance Amount. MassHousing hereby agrees to provide to the Municipality, to be disbursed and used strictly in accordance with the Original Contract, additional Technical Assistance in the amount of \$15,000.
2. Effective Amendment. Except to the extent specifically provided for above, the terms of the Original Contract will remain in full force and effect.

[Remainder of Page Left Intentionally Blank]

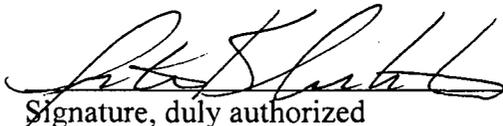
EXECUTED under seal as of this 15 day of Novemer 2005.

MASSACHUSETTS HOUSING FINANCE AGENCY

By: 
Thomas R. Gleason, Executive Director

MUNICIPALITY:

TOWN OF ACTON

By: 
Signature, duly authorized

Peter K. Ashton
Name

Chairman Board of Selectmen
Title (Chief Elected Official)

11/15/05
Date



Town of Acton
 472 Main Street
 Acton, Massachusetts 01720

Purchase Order

Fiscal Year 2006

Page 1

THIS NUMBER MUST APPEAR ON ALL INVOICES,
 PACKAGES AND SHIPPING PAPERS.
 Purchase Order # **20063390-00**

Sales Tax Exempt Number 04-6001062

Invoice in triplicate to department head.

Vendor

STAMSKI & MCNARY INC
 80 HARRIS ST
 ACTON, MA 01720

Ship To

PLANNING BOARD
 TOWN OF ACTON
 472 MAIN STREET
 ACTON, MA 01720

See reverse side for our Terms & Conditions of purchase.

Vendor Phone Number		Vendor Fax Number		Requisition Number		Delivery Reference	
				20063922		Planning Department	
Date Ordered	Vendor Number	Date Required	Freight Method/Terms			Department/Location	
05/15/06	000630					PLANNING	
Item #	Description/Part Number			Unit/Qty	Cost Each	Extended Price	
001	Engineering & Survey Services for 28 Willow & 214 Central Streets for the Scope of Services documentation paperwork attached. 3354-521900			1.0 EA	9990.00000	9,990.00	
						9,990.00	
					PO Total	9,990.00	

I certify that the expenditure contemplated by this document is within the purpose of the budget accounts to which it is to be charged, and that there is an unencumbered balance of available funds, in said budget, to pay therefor.

Approved

 Department Manager
John Conway III
 Treasurer

Approved

Approved

Don P. Johnson
 Town Manager

Vendor Copy

Invoice

STAMSKI AND McNARY, INC.
80 HARRIS STREET
ACTON, MA 01720
Tel. (978) 263-8585/Fax (978) 263-9883

July 14, 2006
Project No: 03905
Invoice No: 0028523

Acton Community Housing Corporation
C/o Roland Bartl, AICP
Acton Planning Board
472 Main Street
Acton, MA 01720

Project: 03905 28 Willow St/214 Central St, Acton
1. Ongoing Work on Comprehensive Permit Submittal and Plans;
2. Meetings with Client.

Professional services from June 4, 2006 to July 1, 2006

Professional Personnel

	Hours	Amount	
Totals	81.00	7,096.11	
Total Labor			7,096.11

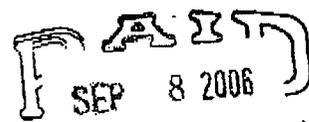
Reimbursable Expenses

Mileage		2.50	
Total Reimbursables		2.50	2.50

Total this invoice \$7,098.61

Purchase Order #20063390-00
Requisition #20063922
Vendor #000630
Invoice in triplicate to Roland Bartl, AICP

TERMS: PAYMENT IS DUE UPON RECEIPT


 BY: ~~#00273760~~
 \$7,098.61
 (check total \$8,196.96)

STAMSKI AND McNARY, INC.

80 Harris Street
Acton, Massachusetts 01720
(978) 263-8585
FAX (978) 263-9883

WILLIAM F. McNARY, P.L.S.
JOSEPH MARCH, P.E., P.L.S.

August 15, 2006

Corey York
Acton Engineering Department
472 Main Street
Acton, MA 01742

Re: 28 Willow Street and 214 Central Street, Acton, MA

Dear Mr. York,

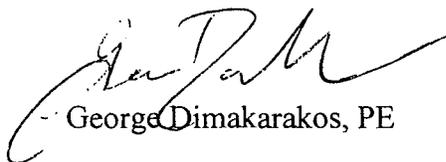
In response to your comments dated August 11, 2006 we have revised the plans for
aforementioned project. The revisions are as follows:

- See sheet 2 for revised sidewalk detail.
- Note 12 has been added to sheet 2 and existing survey monuments are now shown
on sheets 1 and 4.
- Note 13 has been added to sheet 2.
- The drainage system operation and maintenance plan has been modified.

We have included a copy of the plan set with the aforementioned revisions for your
review.

Please contact this office with any questions you may have regarding these revisions.

Stamski and McNary, Inc.



George Dimakarakos, PE

Cc: Acton Community Housing Corporation



TOWN OF ACTON
472 Main Street
Acton, Massachusetts 01720
Telephone (978) 264-9636
Fax (978) 264-9630
planning@acton-ma.gov
www.acton-ma.gov

Planning Department

August 30, 2006

Mr. David Pottier
MassHousing
One Beacon Street
Boston, MA 02108

Ms. Toni Coyne Hall
Department of Housing and Communities Development
100 Cambridge Street, Suite 300
Boston, MA 02114

**Re: Priority Development Fund
Technical Assistance Program Contract, First Amendment 11/15/05
Town of Acton, MA
Reimbursements for Phase II**

Gentlemen:

Enclosed is a first invoice with supporting documents for reimbursement of expenses by the Town on Phase II of the West Acton Village Center housing project. The amount billed is for most of the work completed as itemized in the scope of services by Stamski and McNary, Inc, date May 8, 2006 and attached hereto. The Acton Community Housing Corporation oversees the project and reports that they are satisfied with the work.

Accordingly, we have processed the payment to the contractor. Please make the reimbursement payable to the Town of Acton. Please do not hesitate to call with any question you may have.

Sincerely,

Roland Bartl, AICP
Town Planner

Cc: ACHC
Karen Kukala

August 30, 2006

Previous reimbursements received (Phase I, \$10,000):

05/17/05	\$5,833.56
08/16/05	\$3,754.44
11/15/05	\$ 212.00
Total	\$9,800.00

Thank you!

Technical Assistance Program Contract, Amendment 11/15/05 (Phase II - \$15,000)

Reimbursement Invoice – 08/30/2006:

<i>Paid to Stamski and McNary, Inc.</i>			
Bill Date	For Services	Paid on	Amount
08/14/06	Professional Services as per Scope of Work dated May 8, 2006	08/29/06	\$ 8,196.96
Total			\$ 8,196.96
Reimbursement Requested			\$ 8,196.96

Invoice

STAMSKI AND MCNARY, INC.
80 HARRIS STREET
ACTON, MA 01720
Tel. (978) 263-8585/Fax (978) 263-9883

September 13, 2006
Project No: 03905
Invoice No: 0028775

Acton Community Housing Corporation
C/o Roland Bartl, AICP
Acton Planning Department
472 Main Street
Acton MA 01720

Project: 03905 28 Willow St/214 Central St; Acton

1. Revisions to Comprehensive Permit Plans;
2. Provide Digital Copy of Plans to Client.

Professional services from August 6, 2006 to September 2, 2006

Professional Personnel

	Hours	Amount	
Totals	7.25	627.27	
Total Labor			627.27

Reimbursable Expenses

Prints		54.00	
Total Reimbursables		54.00	54.00

Total this invoice **\$681.27**

Purchase Order #20063390-00
Requisition #20063922
Vendor #000630

Invoice in triplicate to Roland Bartl for forwarding to Nancy Tavernier

Invoice

STAMSKI AND MCNARY, INC.
80 HARRIS STREET
ACTON, MA 01720
Tel. (978) 263-8585/Fax (978) 263-9883

PO 20063390
Invoice #

November 14, 2006
Project No: 03905
Invoice No: 0028989

Acton Community Housing Corporation
C/o Roland Bartl, AICP
Acton Planning Department
472 Main Street
Acton MA 01720

Project: 03905 28 Willow St/214 Central St, Acton

Revisions to Plans requested by Town

Professional services from October 1, 2006 to November 4, 2006

Professional Personnel

	Hours	Amount
Totals	2.75	253.53
Total Labor		253.53

Reimbursable Expenses

Prints		147.50
Total Reimbursables		147.50

Total this invoice **\$401.03**

Purchase Order #20063390-00
Requisition #20063922
Vendor #000630
Invoice in triplicate to Roland Bartl for forwarding to Nancy Tavernier



TOWN OF ACTON
472 Main Street
Acton, Massachusetts, 01720
Telephone (978) 264-9612
Fax (978) 264-9630

Don P. Johnson
Town Manager

November 16, 2005

Miryam Bobadilla
Thomas R. Gleason
Jane Wallis Gumble
DHCD
100 Cambridge Street, Suite 300
Boston, MA 02114

Enclosed please find two copies of the signed copies of Phase II, First Amendment to Technical Assistance Program Contract for Willow Street/ West Acton Village..

Please sign and return one copy to Don P. Johnson, Acton Town Manager, 472 Main Street, Acton, MA 01720. If you have any questions, please feel free to contact me.

Very truly yours,

Christine M. Joyce
Town Manager's Office

Enc. (2)

Cc: ACHC

FYI

**FIRST AMENDMENT TO
TECHNICAL ASSISTANCE PROGRAM CONTRACT**

THIS FIRST AMENDMENT TO TECHNICAL ASSISTANCE PROGRAM CONTRACT ("First Amendment") is entered into as of this 15 day of November 2005 by and between Massachusetts Housing Finance Agency ("MassHousing") and the Town of Acton ("Municipality").

WHEREAS, the parties entered into that certain Technical Assistance Program Contract (the "Original Contract") dated October 15, 2004;

WHEREAS, the Original Contract was to be performed in two phases; and

WHEREAS, Phase I of the project has been successfully completed by the Municipality; and

WHEREAS, the Municipality has requested that the Original Contract be amended to proceed with Phase II of the project;

NOW THEREFORE, subject to the terms and conditions hereof and of the Agreement, and in consideration of the warranties, representations and mutual agreements therein and herein set forth, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Technical Assistance Amount. MassHousing hereby agrees to provide to the Municipality, to be disbursed and used strictly in accordance with the Original Contract, additional Technical Assistance in the amount of \$15,000.
2. Effective Amendment. Except to the extent specifically provided for above, the terms of the Original Contract will remain in full force and effect.

[Remainder of Page Left Intentionally Blank]

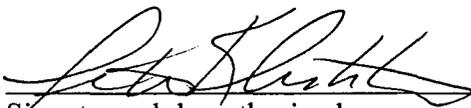
EXECUTED under seal as of this 15 day of Novemer 2005.

MASSACHUSETTS HOUSING FINANCE AGENCY

By: _____
Thomas R. Gleason, Executive Director

MUNICIPALITY:

TOWN OF ACTON

By: 
Signature, duly authorized

Peter K. Ashton
Name

Chairman, Board of Selectmen
Title (Chief Elected Official)

11/15/05
Date



Original Contract

TECHNICAL ASSISTANCE PROGRAM CONTRACT

Municipality: Town of Acton, Massachusetts

Technical Assistance Amount: \$10,000 (Phase I)*

THIS CONTRACT FOR TECHNICAL ASSISTANCE ("Technical Assistance") is made as of this 15th day of October 2004, by and between the municipality designated above ("Municipality") and the MASSACHUSETTS HOUSING FINANCE AGENCY ("MassHousing").

WHEREAS, in order to increase the overall supply of housing in Massachusetts by encouraging community-based planning that will lead directly to housing production, MassHousing has established a Priority Development Fund Technical Assistance Program (the "Fund") through which MassHousing will make available Three Million Dollars (\$3,000,000.00) in planning assistance to communities seeking to increase housing production; and

WHEREAS, the Department of Housing and Community Development ("DHCD"), ~~having a well-established record of expertise in municipal planning,~~ has agreed to assist MassHousing in evaluating applications for technical assistance grants from the Fund and administering the Fund; and

WHEREAS, the Municipality has applied for technical assistance from the Fund pursuant to the application developed by DHCD, and DHCD has recommended that the Application be funded to the extent of the Technical Assistance amount noted above; and

WHEREAS, MassHousing has agreed to provide Technical Assistance, and the Municipality has agreed to accept the Technical Assistance, on the terms and conditions of this Contract.

NOW, THEREFORE, in consideration of the premises and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Municipality and MassHousing hereby agree as follows:

1. Technical Assistance Amount. MassHousing hereby agrees to provide to the Municipality, to be disbursed and used strictly in accordance with this Contract, Technical Assistance in the amount indicated above.

* In accordance with the PDF Award Letter, \$10,000 is to be disbursed to facilitate the determination of wastewater disposal and preliminary site planning; if, but only if, the studies determine that the site is buildable, the Town of Mendon must apply to DHCD/MassHousing to amend the contract to include an additional \$15,000 in order to facilitate the development of this project.

2. Use of Technical Assistance; Procedures for Disbursement. The Municipality shall use the Technical Assistance solely for payment of the cost of planning activities described in the Application. Such planning activities may be conducted in phases, and invoices for payment of work performed may be submitted periodically to MassHousing with a copy to DHCD at the following addresses:

MassHousing
One Beacon Street
Boston, Massachusetts 02108
Attention: David Pottier, Budget Specialist

Department of Housing and Community Development
100 Cambridge Street, Suite 300
Boston, Massachusetts 02114
Attention: Toni Coyne Hall, Associate Deputy Director

3. Conditions of Award.

a. The Municipality shall procure planning services in accordance with all state and municipal procurement requirements. This condition shall be deemed satisfied if the Municipality accepts the services of a planning consultant selected by DHCD from the list of DHCD-approved consultants under Executive Order 418.

b. Each submission of an invoice for payment shall constitute a certification by the Municipality that the charges stated therein: (1) were properly incurred and used for planning activities described in the Application; and (2) were not the subject of any prior invoice.

c. The Municipality shall share the results of its planning activities funded by the Technical Assistance with MassHousing, DHCD and other municipalities, as requested.

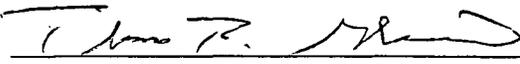
d. The Municipality agrees that it shall not invoice MassHousing for any sums in excess of the Technical Assistance amount indicated above. Any obligations to third parties in excess of the Technical Assistance amount shall be the sole obligation of the Municipality.

e. The Municipality shall have eighteen months from the date of this Contract to complete the planning activities described in the Application and deliver invoices for the work. Any portion of the Technical Assistance not disbursed within eighteen months from the date of this Contract shall no longer be available to the Municipality without the prior approval of MassHousing.

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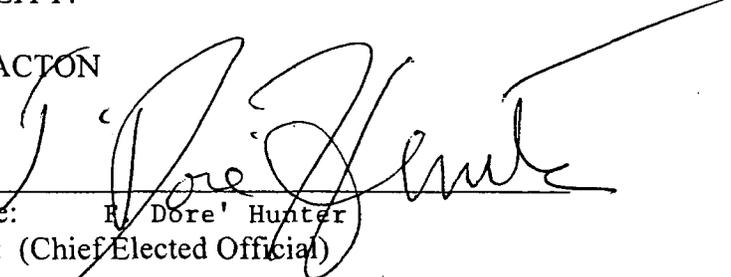
EXECUTED under seal as of this 15th day of October 2004.

MASSACHUSETTS HOUSING FINANCE AGENCY

By: 
Thomas R. Gleason, Executive Director

MUNICIPALITY:

TOWN OF ACTON

By: 
Name: R. Dore' Hunter
Title: (Chief Elected Official)

Invoice

STAMSKI AND MCNARY, INC.
80 HARRIS STREET
ACTON, MA 01720
Tel. (978) 263-8585/Fax (978) 263-9883

January 11, 2007
Project No: 03905
Invoice No: 0029484

PO 20063390

Acton Community Housing Corporation
C/o Roland Bartl, AICP
Acton Planning Department
472 Main Street
Acton MA 01720

Project: 03905 28 Willow St/214 Central St, Acton
Project Completion and Closeout
Professional services from December 3, 2006 to December 30, 2006

Professional Personnel

Totals
Total Labor

Amount
710.74

710.74

Total this invoice

\$710.74

Purchase Order #20063390-00
Requisition #20063922
Vendor #000630
Invoice in triplicate to Roland Bartl for forwarding to Nancy Tavernier

TERMS: PAYMENT IS DUE UPON RECEIPT