

Acton Community Housing Corporation

Nancy Tavernier, Chairman

TOWN OF ACTON

Acton Town Hall

472 Main Street

Acton, Massachusetts, 01720

Telephone (978) 263-9611

achc@acton-ma.gov

July 15, 2009

Dear Parker Street Resident:

The Acton Community Housing Corporation is the Town Board charged with facilitating affordable housing in Acton. The role of the ACHC is to act as the Town's initial contact with developers of proposed affordable residential housing projects. In this capacity, ACHC has been working with local developer Mark Starr and his consultant Dennis Dyer on a proposed affordable housing development located at 99 Parker Street. There is an existing house on the property, which will remain, with four small single family homes to be constructed on the 1.45 acre site. Two of these units will be built in the rear of the lot and two in the front. They will be a cottage/farmhouse design with 1400 sf of living area. The development will focus on protecting and enhancing the environmental features on site as well as maximizing energy efficiency opportunities.

This development will be built using a Comprehensive Permit that must be granted by the Acton Zoning Board of Appeals, projected to be heard starting in late Fall. As part of those Permit requirements, 25% of the units must be sold as affordable deed restricted units to first time homebuyers. These working families must meet income and asset guidelines to qualify for purchase. Of the five units, two will be sold as affordable and three, including the existing home, will be sold at a market price. It is the intention of the developer to price these units to be attainable to working families in an effort to attract Acton employees to Town.

This proposal is just beginning its permitting phase now with an application to the MA Department of Housing and Community Development. The developer will seek the support of the Acton Board of Selectmen at their meeting on August 10 at 8:45PM in room 204 of Town Hall. Members of the public are invited to hear the presentation on the development.

If you have any questions about the proposal or would like to meet with the developer to view the plans and give input, please contact Dennis Dyer at (978) 578-0509 or dmdyer@verizon.net. ACHC also welcomes your questions. We strongly urge you to inform yourself about this development in your neighborhood.

Sincerely,



Nancy E. Tavernier, Chair

X-Authority-Analysis: v=1.0 c=1 a=lnM4vTbdYS46eNWmIYpB3w=:17
a=T4tiCcLjgPrkXMkDbMgA:9 a=dgyQPRZU7O7LL-GB9VoA:7
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a=n1nqBGUU0VrAmdOYNcMA:7 a=BAGr5DAXETbrqq2xil4WEysH__oA:4
From: "Dennis Dyer" <dmdyer@verizon.net>
To: "Hall, Toni Coyne \(\OCD\)" <Toni.Coyne.Hall@state.ma.us>
Cc: "Nancy Tavernier" <ntavern@comcast.net>,
"Mark Starr" <markstarrvball@verizon.net>
Subject: Acton LIP Questions
Date: Wed, 15 Jul 2009 12:08:23 -0400
X-Mailer: Microsoft Outlook Express 6.00.2900.5512

Ms. Hall;

The question that has arisen in Acton concerns the attempt by the developer, Mark Starr, to accomplish a number of good things within the context of the five home condominium development. First, he wants to provide "affordable" homes for the Acton community. However, in this context he would like to be able to, as he says, "give a veteran a great deal" by making one of the affordable homes available for a disabled veteran. In addition, he is making the "market rate" homes available at a price that is "attainable" by the average working family. In order to give the families a sense of personal space each of the 3 bedroom 2.5 bathroom condominiums will have the appearance of a detached 1,400 sq.ft. bungalow/farmhouse. In this context, he has set the sales prices for the market rate homes at or below \$399,000.00. Well below the median price for the Acton/Boxborough/Concord area.

The question, given the goal of the 40B program and LIP to market the "affordable" homes to the broadest range of potential buyers both inside and outside the community, is there any context in which one of the affordable homes could be marketed to income and asset eligible disabled veterans? Or, is that to restrictive a guideline for the lottery on that one home. Alternately, could there be a veterans or disabled preference on that one home. Another possible solution suggested was to sell one of the two affordable homes to a veterans organization and let them income and asset qualify the disabled veteran family that would then lease the home. He has also considered making one of the market rate homes handicapped accessible and marketing it to a veteran, but he really would prefer to give that veteran a great deal not just a good deal by being able to sell the home at the affordable value of approximately \$185,000.00, and the economics of the project don't work if three of the five homes are sold at that price.

He may be putting too many good eggs in one basket, but I thought it would be better to expose the concept to you and see if you knew of any precedent or other approach that might allow him to accomplish his multi-goal intent. We discussed the concept last week at the formal presentation before the ACHC. I think there was general agreement that the goals were laudable, but the mechanism might not be available. As you know the ACHC voted to recommend the project to you and the Board of Selectmen. However, I would like to have this question settled before we get to the next step in the community. There is no sense in getting any hopes up if the desired outcome is not possible.

I hope that this information will allow you to consider the issue before Friday and minimize the time out of your schedule that day. Nancy does not think it necessary for her to participate on Friday. Again, my thanks for your help exploring this issue.

Dennis Dyer
(978) 578-0509

Acton Community Housing Corporation

Nancy Tavernier, Chairman

TOWN OF ACTON

Acton Town Hall

472 Main Street

Acton, Massachusetts, 01720

Telephone (978) 263-9611

achc@acton-ma.gov

TO: Board of Selectmen
FROM: Nancy Tavernier, Chair
SUBJECT: New 40B information
Date: July 15, 2009

The ACHC wants to give the Board a heads up for a new five unit 40B proposal located at 99 Parker St. This project is a DHCD Local Initiative Program project also called a Friendly 40B. We have met with the developer Mark Starr and his consultant Dennis Dyer on several occasions and they have met with the Town department heads twice. With a LIP project, both the Chair of the Board of Selectmen and the Chair of ACHC must sign the application that goes to DHCD for the initial approval by the state. DHCD will make a site visit, carefully review the application and pro forma and issue a site eligibility letter which will then allow the developer to apply to the Zoning Board of Appeals for a Comprehensive Permit. This would be expected to occur in late Fall. The last 40B that came before the Board was in July 2008. That was for Lalli Terrace at 442 Mass. Ave. That development is just now under construction.

On August 10, the developer will be presenting the proposed project to the Board. Here is a brief description of the proposal. There is an existing house on the property, which will remain, and four small single family homes will be constructed on the 1.45 acre site. Two of these units will be built in the rear of the lot and two will be built in the front. The homes will be a cottage/farmhouse design with 1400 sf of living area. The design is consistent with the existing farmhouse on site. The development will focus on protecting and enhancing the environmental features on the site as well as maximizing energy efficiency opportunities.

As part of the Comprehensive Permit requirements, 25% of the units must be sold as affordable deed restricted units to first time homebuyers. These working families must meet income and asset guidelines to qualify for purchase. Of the five units, two will be sold as affordable and three, including the existing home, will be sold at a market price. It is the intention of the developer to price these units to be attainable in an effort to attract Acton employees to Town. In addition, the developer is proposing to designate one of the units for a disabled veteran, either one of the affordable units or a market unit. The consultant is in discussions with DHCD at this time to work out some of the requirements that would still allow this unit to be restricted going forward. ACHC is supportive of this idea and is working with the team to address various issues that relate to this particular unit designation primarily in the affirmative fair marketing area.

Letters are being sent to all abutters, predominately condo owners in Parker Crossing, to notify them of the proposed development and offering contact information for the developer and ACHC. The developer will be scheduling a meeting with the Parker Crossing Condo Association to address any concerns they may have. ACHC has notified them all of the BOS appointment on August 10.

ACHC has voted to sign the LIP application and is strongly in support of this small scale proposal. We are giving the Board early notice so there will be time to get staff comments and recommendations for your August 10 meeting.

Acton Community Housing Corporation

Nancy Tavernier, Chairman

TOWN OF ACTON

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Acton, Massachusetts, 01720

Telephone (978) 263-9611

achc@acton-ma.gov

TO: Board of Selectmen
FROM: Nancy Tavernier, Chair
SUBJECT: New 40B information
Date: August 21, 2009

The ACHC is recommending the new five unit 40B proposal located at 99 Parker St. This project is a DHCD Local Initiative Program project also called a Friendly 40B. We have met with the developer Mark Starr and his consultant Dennis Dyer on several occasions and they have met with the Town department heads twice. With a LIP project, both the Chair of the Board of Selectmen and the Chair of ACHC must sign the application that goes to DHCD for the initial approval by the state. DHCD will make a site visit, carefully review the application and pro forma and issue a site eligibility letter which will then allow the developer to apply to the Zoning Board of Appeals for a Comprehensive Permit. This would be expected to occur in late Fall. The last 40B that came before the Board was in July 2008. That was for Lalli Terrace at 442 Mass. Ave. That development is just now under construction.

On August 24, the developer will be presenting the proposed project to the Board. Here is a brief description of the proposal. There is an existing house on the property, which will remain, and four small single family homes will be constructed on the 1.45 acre site. Two of these units will be built in the rear of the lot and two will be built in the front. The homes will be a cottage/farmhouse design with 1400 sf of living area. The design is consistent with the existing farmhouse on site. The development will focus on protecting and enhancing the environmental features on the site as well as maximizing energy efficiency opportunities.

As part of the Comprehensive Permit requirements, 25% of the units must be sold as affordable deed restricted units to first time homebuyers. These working families must meet income and asset guidelines to qualify for purchase. Of the five units, two will be sold as affordable and three, including the existing home, will be sold at a market price. It is the intention of the developer to price these units to be attainable in an effort to attract Acton employees to Town residency. In addition, the developer is proposing to designate one of the affordable units for a returning disabled veteran. The consultant is in discussions with DHCD at this time to work out some of the requirements that would still allow this unit to be restricted going forward. ACHC is supportive of this idea and is working with the team to address various issues that relate to this particular unit designation primarily in the affirmative fair marketing area.

Letters are being sent to all abutters, predominately condo owners in Parker Crossing, to notify them of the proposed development and offering contact information for the developer and ACHC. The developer will be scheduling a meeting with the Parker Crossing Condo Association to address any concerns they may have.

ACHC has voted to sign the LIP application and is strongly in support of this small scale proposal. We urge the Board of Selectmen to support this proposal.



**Town of Acton
472 Main Street
Acton, Massachusetts 01720**

Telephone (978) 264-9612
Fax (978) 264-9630

**Paulina S. Knibbe, Chair
Board of Selectmen**

August 24, 2009

**Draft Board of Selectmen Minutes
August 24, 2009**

40B LIP FILING, 99 PARKER STREET

Mr. Dyer asked for the Board's support in this project. Peter asked about his application and wanted to know where the wetlands were on the project.

Lauren thanked them for being community friendly. She also thanked them for a win-win situation under the LIP filing. She however wanted them to buffer the site to protect the neighbors.

Terra wanted to be more conscious about the tax burden on existing residents when these are proposed

Mike thanked him for his veteran contribution. Paulina noted that as long as 40B exists we need to provide it and this project is more appropriately sized and styled. She is concerned about the wetlands, but if ConsCom is comfortable with what has been worked out, she is. Mr. Dyer said that they will continue to work with the Conservation Commission.

Rodger Klopf an abutter was concerned about the closeness to his property, and ledge. Mark Starr said they did not plan on blasting, but if needed they would go through the regulations for blasting, doing an existing house survey etc.

Looking for the Board to accept and send to the application to DCHD. PETER BERRY- Moved to sign the LIP application for 99 Parker Street. LAUREN ROSENZWEIG – second. 4-1 Terra NO, motion passes

Acton Community Housing Corporation

Nancy Tavernier, Chairman

TOWN OF ACTON

Acton Town Hall

472 Main Street

Acton, Massachusetts, 01720

Telephone (978) 263-9611

achc@acton-ma.gov

August 25, 2009

Toni Coyne Hall
Department of Housing and Community Development
100 Cambridge St., Suite 300
Boston, MA 02114

Dear Ms. Hall:

The Acton Community Housing Corporation has voted to recommend to the Board of Selectmen and DHCD; the proposed 5 unit LIP project at 99 Parker St. in Acton. We have been working with Mark Starr and Dennis Dyer on various iterations of this proposal. The final proposal retains the existing farmhouse on the site and adds four single family homes in an environmentally sensitive manner.

Whenever the ACHC reviews 40B developments, we always look for the redeeming features above and beyond the provision of affordable units. This development has many. One is the retention of the existing home on the site rather than tearing it down. This is consistent with the town's sustainability efforts and stresses the importance of reusing and rehabilitating existing sites for affordable housing. Of the five units, two will be sold as affordable and three, including the existing home, will be sold at a market price. It is the intention of the developer to price these units to be attainable in an effort to attract Acton employees to Town. In addition, the developer is proposing to designate one of the units for a disabled veteran, either one of the affordable units or a market unit. We know this will take some negotiating with DHCD to assure the marketing meets the LIP requirements. We appreciate your willingness to consider this creative approach to affordable housing.

ACHC is appreciative of the small scale nature of the proposal, both the density on site and the size of the houses themselves. Each unit will be 1400 sf of living space with the market units priced to be attainable to moderate income families making this a development of starter homes, something that is badly needed in our community. The farmhouse design is consistent with the historic use of the area and the existing house on site. It is located in an area of multi-family housing including some units owned by the Acton Housing Authority so it fits into the existing neighborhood.

The Town's Conservation Commission was particularly impressed with the site design and layout of the units and gave a unanimous recommendation for the project using the state Wetlands Act standards. They appreciated the design for a comprehensive storm water management system that creatively incorporates rain gardens and pocket wetlands, reduces lawn areas and impervious surfaces and a landscaping plan that includes native, non-invasive plants as well as buffering.

ACHC always appreciates the willingness of developers to work with ACHC and the Town on the design of the project, which is the beauty of the LIP program. The LIP process is the Town's preferred development option. We look forward to an expedited approval process for this proposal.

Thank you for your attention.

Sincerely,

A handwritten signature in cursive script that reads "Nancy E. Tavernier". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

Nancy E. Tavernier, Chair
Acton Community Housing Corporation

Local Initiative Program



Application for Comprehensive Permit Projects

10/1/03



Department of Housing & Community Development
100 Cambridge St., Suite 300 - Boston, MA 02114 - 617-573-1359

INSTRUCTIONS

Please submit three copies of the application plus two copies of all drawings. The submittal must include a check for the processing fee, payable to DHCD, for \$1500 per project plus \$20 per unit.

Mail to:
Department of Housing & Community Development
100 Cambridge St., Suite 300 ~ Boston, MA 02114
Boston, MA 02114
Attn: Office of Housing Development Division

Email to:
marilyn.contreas@ocd.state.ma.us

To fill out the application electronically, simply position your cursor on a line and type. You can use the tab key to move between questions. *Note that for email submissions, signatures and all attachments including payment must be sent separately by regular mail.*

Most questions are self-explanatory. If you need assistance, please contact Marilyn Contreas at 617-573-1359.

For question 12 on page 5, please provide the general designation of zoning (e.g. residential, business, mixed-use). Do not provide only the specific municipal category (e.g. R-1).

For question 4 on page 6, "affordable units" must be at least 25% of the total and must be affordable to households with incomes at or below 80% of area median. Refer to the Guidelines for more information. "Other units" are those that are made available under special financing or special agreement (e.g. with Section 8 vouchers or through MassHousing programs).

For rental projects, you must use the One Stop Application, available online at <http://www.onestopapp.com/>, instead of Unit Composition (page 8) and Ownership Pro Forma (page 11). Contact DHCD for assistance.

Notes on required attachments (see Checklist, page 17): The letter of interest from a construction lender should be pertinent to the proposed project. The map of the community highlighting the site can be any type of map showing at least major roads. The rationale for the affordable prices should explain your assumptions and what factors you considered.

Application Contents

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Department of Housing & Community Development

Local Initiative Program

Application for Comprehensive Permit Projects

GENERAL INFORMATION

1. Community: Acton
2. Name of Development: 99 Parker Street LLC
3. Site Address: 99 Parker Street
4. Developer: Mark Starr
5. Municipal Project Contact: To Be Determined
6. Title: Chair, Board of Appeals
7. Address: Town Hall
8. Phone: 978-264-9632 Fax: 978-264-9630
10. Email: _____

11. Type of Housing:
- | | |
|---|---|
| <input type="checkbox"/> Fee Simple | <input type="checkbox"/> Rental |
| <input checked="" type="checkbox"/> Condominium | <input type="checkbox"/> Age Restricted |

12. Project Characteristics:
- | | |
|--|-------------------------------------|
| <input checked="" type="checkbox"/> New Construction | <input type="checkbox"/> Conversion |
| <input checked="" type="checkbox"/> Rehabilitation | <input type="checkbox"/> Other |

13. Total Acres 1.45 Density of Project (units/acre) 3.5

14. Are there wetlands on the site? Yes No

15. Unit Count:
Total Number of Units 5 Affordable 2 Market 3

16. Unit Prices/Rents:

Market Rate	<u>\$399,000.00</u>
Affordable	<u>\$185,000.00</u>

17. Required Signatures:

Chief Elected Official of Municipality

Date

Chairman, Local Housing Partnership
(if applicable)

Date

Municipal Contact Information ~ Other than Project Contact

1. Chief Elected Official

Name Paulina Knibbe
Address 472 Main Street Acton, MA 01720
Phone (978) 264-9611 Fax (978) 264-9630
Email bos@acton-ma.gov

2. Town Administrator/Manager

Name Steve Ledoux
Address 472 Main Street Acton, MA 0172
Phone (978) 264-9612 Fax (978) 264-9630
Email manager@acton-ma.gov

3. City/Town Planner (if any)

Name Roland Bartl
Address 472 Main Street Acton, MA 0172
Phone (978) 264-9636 Fax (978) 264-9630
Email planning@acton-ma.gov

4. Chairman, Zoning Board of Appeals

Name To Be Determined
Address 472 Main Street Acton, MA 0172
Phone (978) 264-9632 Fax (978) 264-9630
Email _____

5. Chairman, Local Housing Partnership (if any)

Name Nancy Tavernier
Address 472 Main Street Acton, MA 01720
Phone 978-263-9611 Fax (978) 264-9630
Email achc@acton-ma.gov

Community Support

1. Letter of Support from Municipality

Attach a letter containing a short narrative on the basics of the project, the history of the project, the ways in which the community is providing support, and how the development team has addressed any concerns the community has. The letter must be signed by the chief elected official of the community.

2. Letter of Support from Local Housing Partnership

If the community has a housing partnership, please attach a letter from them indicating their support for the project. The letter should summarize how the partnership has been working with the developer.

3. Local Contributions

Check off all that apply and provide a brief description at the end.

- Land donation (dollar value _____)
- Building donation (dollar value _____)
- Marketing assistance
- Other work by local staff
- Density increase
- Waiver of permit fees
- Other regulatory or administrative relief (specify)
Decrease Wetland Setbacks
- Local funds (cash)
Amount \$ _____
- Agreement by a lender to provide favorable end-loan financing
(ownership projects only)
- Other (specify)

Briefly explain the contributions:

The project will have a density of 3.5 homes per acre rather than the by right "Residential 4" zoning of two dwellings; The homes will be within the 100 ft wetland set back, but no less than 25 ft; The developer is exploring the possibility of favorable end-loan financing; The developer will look to the Acton Community Housing Corporation to assist in the marketing of the affordable homes as well as some guidance on the marketing of the "attainable" market rate homes. The developer will work with ACHC and a local agent to develop a "lottery" program for the "affordable" homes to assume compliance with DHCD guidelines for accessibility.

4. Conformance with Local Plans

If applicable, briefly describe how the project fits with any planning the community has done (e.g. master plan, EO 418 housing strategy or CD Plan, affordable housing plan).

The plan seeks to expand the affordable housing inventory and the moderate income, or "attainable" housing inventory as described in To Live in Acton by keeping the "market rate" home at a price attainable by average home buyers;

The Site

1. Site Characteristics

Describe the site and note the presence of any development constraints such as wetlands or ledges. If there are any unusual site conditions, explain them here.

The site is approximately 61,923 sq ft. Of this, 21,414 (34.6%) are described as wetland, 40,509 sq ft (65.4%) are described as upland. The site is bisected by a small rain induced stream and wetland. The plan would develop homes within the normal 100 ft. buffer zone, but outside the 25 ft. no disturb zone. The Condominium Documents would specifically prohibit any future building of even temporary structures in these areas. The Documents will also require plans to maintain the integrity of the stormwater management system of rain gardens, vegetative swails, pocket wetlands and bio-retention areas, as well as plans to remove and protect against invasive plant species.

2. Describe the current and prior uses of the site. If there are any existing buildings, explain what will be done with them. Single Family Home . . . Home will be extensively renovated and become one of the three attainable market rate homes.

3. Is the site or any building on the site listed, nominated, or eligible for listing on the National or State Register of Historic Places? Yes No

4. Is the site located in or adjacent to an historic district? Yes No

5. Acreage

Acreage on site	<u>61,923 sq ft</u>
Total buildable acreage	<u>40,509 sq. ft (65.4%)</u>

6. Site Control

Developer owns the site. *Attach a copy of the deed.*

Developer holds a Purchase and Sale agreement or option on the site. *Attach a copy of the P&S or option.*

7. Value of Land

*Attach verification of the value of the land either through the last arms-length transaction if the transaction occurred within the last three (3) years or through a current appraisal by a licensed appraiser showing the value of the land **under by-right zoning.***

8. Available Utilities & Infrastructure

Public water

Private well

Public streets

Private streets

Public sewer

Private sewer

Septic system

On-site package treatment or alternative

9. Is the site located near public transit (bus, subway, commuter rail, etc.)? If so, indicate the type, distance to the nearest stop, and frequency of service. Commuter rail approximately a mile from project

10. Describe any known or suspected hazardous waste sites on or within a 1/2 mile radius of the project site. NO

11. Has a 21E hazardous waste assessment ever been done on this site? If so, attach a summary of the filing.

Yes No

12. Current Zoning

Zoning classification	<u>R 4</u>
Usage allowed	<u>Single family Home</u>
Units per acre allowed	<u>One</u>

13. Has the municipality denied a permit on another proposal for this site within the last 12 months?

Yes No

14. What waivers will you be requesting under the comprehensive permit?

Wetland Setback Reduction from 100 ft to 25 ft; and Increased Density with extensive state of the art stormwater management and low impact development techniques to both protect the existing wetlands and potentially make them function better for aquifer recharge in the future.

Surrounding Neighborhood & Community

1. Describe the land uses in the surrounding neighborhood. Single Family Homes, Multi-family Apartment Complexes, Multi-family Condominium Complex, Town Conservation Land; MBTA Train Tracks; Some Commercial Construction Storage, Some Farming

2. What is the prevailing zoning in the surrounding neighborhood? R 4 Residential

3. Describe nearby amenities and services such as shopping or recreation. Town Conservation Land; Walking Trails

4. Is the site close to other affordable housing units? If so, provide the distance. There are affordable homes in the two abutting and nearby apartment complexes as well as the condominium complex. There is also an eight home 40B development within one-half mile at 64 River Street.

5. Explain how developing the site contributes to smart growth development in the area (e.g. mixed use, reuse, concentrated development), if at all. The Project is the reuse

of an existing home; The Project will cluster condominium design with the appearance of single family farmhouses or cottages.

The Project

1. Type of Project Total number of units

Fee simple	_____
Condo	<u>5</u>
Rental	_____
Other	_____

2. Project Style Total number of units

Detached single-family	<u>5</u>
Rowhouse/townhouse	_____
Duplex	_____
Multifamily house (3+ family)	_____
Apartment building	_____
Other (specify)	_____

3. If there will be multiple buildings, will they follow smart growth design (e.g. cluster)? Explain. The five condominium homes will be clustered in two upland areas and use the best practices low impact development techniques for storm water management and aquifer recharge. The homes will meet Energy Star Standards to reduce the carbon footprint of the homes.

4. Unit Mix Number Percentage of Total

Affordable (see Instructions)	<u>2</u>	<u>40</u>
Market Rate	<u>3</u>	<u>60</u>
Handicapped Accessible	<u>1</u>	<u>20</u>
Other (see Instructions)	_____	_____
Total Units	<u>5</u>	<u>100</u>

5. Will the project meet Energy Star Standards? If so, describe. YES, To Be Determined

6. Estimate the percentage of the site used for:

Buildings <u>6.8</u>	Parking & Paved Areas <u>11.3</u>
Usable Open Space <u>47.3</u>	Unusable Open Space <u>34.6</u>

7. Development Schedule

Complete the chart below by providing the appropriate month and year. Fill in only as many columns as there are phases. If there will be more than three phases, add columns as needed.

	<u>Phase 1</u>	<u>Phase 2</u>	<u>Phase 3</u>	Total by type
Number of affordable units	<u>2</u>	_____	_____	_____
Number of market units	<u>3</u>	_____	_____	_____
Total by phase	<u>5</u>	_____	_____	_____

Please complete the following chart with the appropriate projected dates:

All permits granted	<u>Winter 2009</u>	_____	_____
Construction start	<u>Early Spring 2010</u>	_____	_____
Marketing start - affordable units	<u>Winter 2009</u>	_____	_____
Marketing start - market units	<u>Winter 2009</u>	_____	_____
Construction completed Phase 1	<u>Early Summer 2010</u>	_____	_____
Initial occupancy	<u>Early Summer 2010</u>	_____	_____

8. If any public funds will be used to develop this project, please indicate the source, the amount, and the use. NA

9. Local tax rate per thousand: \$16.53

10. Will all features and amenities available to market buyers also be available to affordable buyers? If not, explain the differences. YES

11. Unit Composition ~ Ownership Projects Only*

Complete the chart below. Include a separate entry for each unit type according to its square footage and/or sales price.

Type of Unit	# of Units	# of Bedrooms	# of Baths	Gross Sq. Ft.	# Parking Spaces	Sales Price	Condo Fee	Handicapped Accessible?
Affordable	2	3	2.5	1400	2			<input type="checkbox"/>
								<input type="checkbox"/>
								<input type="checkbox"/>
								<input type="checkbox"/>
Market	2	3	2,5	1400	2			<input type="checkbox"/>
	1	3	2.5	1400	2			<input checked="" type="checkbox"/>
								<input type="checkbox"/>
								<input type="checkbox"/>
Other								<input type="checkbox"/>
								<input type="checkbox"/>

*For rental projects, please fill out the Unit Composition section of the One Stop Application. Contact DHCD for assistance.

Design and Construction

1. Drawings

Please submit two copies of all drawings. Preliminary drawings must be stamped and signed by a registered architect or engineer. Drawings should not be larger than 30" x 42" and must be folded into 8 1/2" X 11".

Cover sheet showing written tabulation of:

- Proposed buildings by design, ownership type, and size
- Dwelling unit distribution by floor, size, and bedroom/bath number
- Square footage breakdown of commercial, residential, community, and other usage in the buildings
- Number of parking spaces

Site plan showing:

- Lot lines, streets, and existing buildings
- Proposed building footprint(s), parking (auto and bicycle), and general dimensions
- Zoning restrictions (i.e. setback requirements, easements, height restrictions, etc).
- Wetlands, contours, ledge, and other environmental constraints
- Identification of affordable units
- Sidewalks and recreational paths
- Site improvements, including landscaping

Utilities plan showing:

- Existing and proposed locations and types of sewage, water, drainage facilities, etc.

Graphic depiction of the design showing:

- Typical building plan
- Typical unit plan for each unit type with square footage tabulation
- Elevation, section, perspective, or photograph
- Typical wall section

2. Construction Information

<u>Foundations</u>	<u># Mkt Units</u>	<u># Affordable Units</u>	<u>Attic</u>	<u># Mkt Units</u>	<u># Affordable Units</u>
Slab on Grade	_____	_____	Unfinished	<u>3</u>	<u>2</u>
Crawl Space	_____	_____	Finished	_____	_____
Full Basement	<u>3</u>	<u>2</u>	Other	_____	_____
<u>Exterior Finish</u>	<u># Mkt Units</u>	<u># Affordable Units</u>	<u>Parking</u>	<u># Mkt Units</u>	<u># Affordable Units</u>
Wood	_____	_____	Outdoor	<u>1</u>	<u>1</u>
Vinyl	<u>3</u>	<u>2</u>	Covered	_____	_____
Brick	_____	_____	Garage	<u>1</u>	<u>1</u>
Fiber Cement	_____	_____	Bicycle	<u>na</u>	<u>na</u>
Other	_____	_____			

Heating System

Fuel: Oil Gas Electric Other

Distribution method (air, water, steam, etc.): warm air

Energy Efficient Materials

Describe any energy efficient or sustainable materials used in construction: To Be Determined

Non-Residential Space

Describe any non-residential construction on the site, e.g. office space, clubhouse, commercial space, etc. NA

Modular Construction

If modular construction will be used, explain here. NA

Project Feasibility ~ Ownership Projects*

1. Ownership Pro Forma

	Total Costs	Per Unit	Per Sq. Ft.	% of Total
(a) Site Acquisition	\$335000	\$67000	\$45	
<u>Hard Costs:</u>				
Earth Work	\$50000	\$10000	\$6.6	
Site Utilities	\$10000	\$2000	\$2	
Roads & Walks	\$20000	\$4000	\$2.7	
Site Improvement	\$50000	\$10000	\$6.6	
Lawns & Planting	\$16000	\$3200	\$	
Demolition	\$NA	\$	\$	
Unusual Site Cond.	\$10000	\$2000	\$2	
(b) Total Site Work	\$136000	\$27200	\$18	
Concrete	\$32000	\$6400	\$4.3	
Masonry	\$NA	\$	\$	
Metals	\$NA	\$	\$	
Carpentry	\$130000	\$26000	\$17.3	
Roofing & Insulation	\$28000	\$5600	\$3.7	
Doors & Windows	\$24000	\$4800	\$3.3	
Interior Finishes	\$12000	\$24000	\$16	
Cabinets & Appliances	\$32000	\$6400	\$4.3	
Plumbing & HVAC	\$72000	\$14400	\$9.6	
Electrical	\$40000	\$8000	\$5.3	
(c) Total Construction	\$478000	\$95600	\$63.7	
(d) General Conditions	\$	\$	\$	
(e) Subtotal Hard Costs (a+b+c+d)	\$949000	\$189800	\$126.5	
(f) Contingency	\$50000	\$10000	\$6.6	
(g) Total Hard Costs (e+f)	\$999000	\$199800	\$133	
<u>Soft Costs:</u>				
Permits/Surveys	\$60000	\$12000	\$8	
Architectural	\$15000	\$3000	\$2	
Engineering	\$50000	\$10000	\$6.6	
Legal	\$10000	\$2000	\$1.3	
Bond Premium	\$	\$	\$	
Real Estate Taxes	\$10000	\$2000	\$1.3	
Insurance	\$5000	\$1000	\$.67	
Security	\$	\$	\$	
Developer's Overhead	\$25000	\$5000	\$3.3	
General Contractor's Overhead	\$0	\$	\$	
Construction Manager	\$75000	\$15000	\$10	
Property Manager	\$0	\$	\$	
Construction Interest	\$50000	\$10000	\$6.6	
Financing/Application Fees	\$15000	\$3000	\$2	
Utilities	\$5000	\$1000	\$.67	

*For Rental Projects, fill out the Pro Forma from the One Stop Application.

Maintenance (unsold units)	\$ _____	\$ _____	\$ _____	_____
Accounting	\$5000	\$1000	\$.7	_____
Marketing	\$50000	\$10000	\$6.6	_____
(h) Subtotal Soft Costs	\$320000	\$6400	\$4.3	_____
(i) Contingency	\$32000	\$6400	\$4.3	_____
(j) Total Soft Costs (h+i)	\$352000	\$70400	\$46.9	_____
(k) Total Development Costs (g+j)	\$1351000	\$270200	\$180000	_____

2. Profit Analysis *(should conform to the pro forma)*

Sources:

Affordable projected sales	\$370000
Market sales	\$1200000
Public grants	\$ _____
(A) Total Sources	\$1570000

Uses:

Construction Contract Amount	\$NA
(B) Total Development Costs	\$1351000

Profit:

(C) Total Profit (A-B)	\$249000
(D) Percentage Profit (C/B)	\$18.4

3. Cost Analysis *(should conform to the pro forma)*

Total Gross Building Square Footage	7000
Residential Construction Cost per Sq. Ft.	\$ _____
Total Hard Costs per Sq. Ft.	\$ _____
Total Development Costs per Sq. Ft.	\$180
Sales per Sq. Ft. <i>(do not include proceeds from public grants)</i>	\$213

The Development Team ~ Contact Information and Experience

1. Developer

Name Red Acre Development Corp.
Address 22 Elm St. Acton Mass. 01720
Phone 9782630795 Fax _____
Email markstarrvball@verizom.net Tax ID #04 3213795

2. Contractor/Builder

Name Mark Starr
Address 22 Elm St. Acton Mass. 01720
Phone 9782630795 Fax _____
Email markstarrvball@verizom.net Tax ID # _____

3. Architect/Engineer LEED certified?

Name Meridian Associates
Address 69 Milk St. Suite 302 Westborough, Mass. 01581
Phone 5088717030 Fax 5088717039
Email www.meridianassoc.com Tax ID # _____

4. Attorney

Name Michael Rubin
Address Lexington, MA
Phone 7818609657 Fax _____
Email rubin@massfirm.com Tax ID # _____

5. Marketing Agent *(if more than one, attach a separate sheet)*

Name Acton Real Estate(Joan Meyer)
Address 371 Massachusetts Avenue, Acton, MA 01720
Phone 978-263-1126 Fax 978-263-6013
Email _____ Tax ID # _____

6. Consultant

Name Dennis M. Dyer
Address 152 Essex Street, Beverly, MA 01915-3637
Phone 978-578-0509 Fax _____
Email dmdyer@verizon.net Tax ID # _____

7. Team Experience -- The Developer and Contractor

Complete the charts on the following pages for all housing projects undertaken by the developer and the contractor during the past three years. Include projects currently in construction. Provide owner references for each project, including a current phone number.

DEVELOPER'S EXPERIENCE

Project Name	Location	Number of Units	Subsidy Program	Type of Construction	Sales or Rental	Total Development Cost	Date of Completion	Reference: Name & Phone
Red Acre Estates	Stow, MA.	19	no	single family	sales	2.8 million	1993	Mark Starr
Benjamin Dr.	Boxboro, MA.	6	no	single family	sales	2.2 million	1995	Mark Starr
Jesse Drive	Acton, MA.	2	no	single family	sales	1.6 million	2004	Mark Starr
Daniel's Way	Boxboro, MA	2	no	single family	sales	1.3 million	2006	Mark Starr

CONTRACTOR'S EXPERIENCE

Project Name	Location	Number of Units	Subsidy Program	Type of Construction	Sales or Rental	Total Development Cost	Date of Completion	Reference: Name & Phone
Red Acre Estates	Stow, MA	19	no	single family	slaes	2.8 Million	1993	Mark Starr
Benjamin Dr.	Boxboro, MA	6	no	single family	sales	2.2 million	1995	Mark Starr
Jesse Dr.	Acton, MA	2	no	single family	sales	1.6 million	2004	Mark Starr
Daniel's Way	Boxboro, MA	2	no	single family	sales	1.3 million	2006	Mark Starr

Marketing and Lottery Plans

1. Marketing Plan

Please provide on a separate sheet a marketing plan in accordance with the LIP Guidelines. The marketing plan should be designed to reach all segments of the eligible population within the HUD region (see Appendix B of the Guidelines), should be specific to the project, and should contain sufficient information on: project size, unit mix, number and type (number of bedrooms) of affordable units, sales price or rent level, selection process for affordable units (e.g., lottery to be held), maximum qualifying income for the affordable units, local preference percentage and criteria (if any), and sales agent information, including telephone number. Describe the proposed time frame for marketing activities.

The marketing plan also needs to include a narrative on outreach to minority populations in the HUD region (Appendix C of Guidelines), including but not limited to: use of newspapers, notice to social service, religious, and/or civic organizations, employers or employer organizations, organizations offering homebuyer education programs, and public meetings.

2. Proposed Lottery Process for Affordable Units

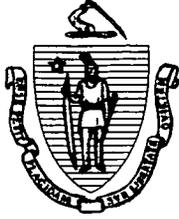
A lottery process is most often used to achieve fair and open access to the project's affordable units. On a separate sheet, provide a description of the lottery process for this project that includes information on:

- o income eligibility*
- o the application process*
- o where, when, and how to obtain an application*
- o plans for public meetings to be held to explain the lottery process*
- o preference categories including the number of units in each category*
- o who will oversee the lottery process*

Refer to page 18 of the LIP Guidelines to prepare the description.

Checklist of Attachments

- Letter of support signed by Chief Elected Official of municipality
- Letter of support from local housing partnership (if applicable)
- Signed letter of interest from a construction lender (see Instructions)
- Map of community showing location of site (see Instructions)
- Directions to site from I93 or I90 in Boston or from nearest train station if appropriate (please do not use MapQuest or MapBlast)
- Check payable to DHCD
- Rationale for calculation of affordable purchase prices or rents (see Instructions)
- Copy of site control documentation (deed or Purchase & Sale or option agreement)
- Last arms length transaction or current appraisal under by-right zoning
- 21E summary (if applicable)
- Photograph of existing building(s) and/or site
- Site Plan showing location of affordable units
- Sample floor plans and/or sample elevations
- Marketing plan including plan for outreach to minorities
- Lottery plan



Commonwealth of Massachusetts
**DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT**

Deval L. Patrick, Governor ◆ Timothy P. Murray, Lt. Governor ◆ Tina Brooks, Undersecretary

March 31, 2010

Mark Starr
22 Elm Street
Acton, Ma 01720

Paula Knibbe, Chair
Board of Selectman
Town of Acton
472 Main Street
Acton, MA 01720

RE: 99 Parker Street, Acton, MA
Determination of Site Eligibility under the Local Initiative Program (LIP)

Dear Mr. Starr and Ms. Knibbe:

I am pleased to inform you that your application for site eligibility determination under the Local Initiative Program (LIP) for the proposed 99 Parker Street project in Acton, Massachusetts, has been approved. This approval is based on your application that sets forth a plan for the development of five (5) homeownership units. The proposed sales prices of the LIP units are generally consistent with the standards for affordable housing to be included in a community's Chapter 40B affordable housing stock. We note that the project developer has a Purchase and Sales agreement for the site.

As part of the review process, DHCD staff has performed an on-site inspection of the proposed project site. The Department of Housing and Community Development (DHCD) has made the following findings:

1. The proposed project appears generally eligible under the requirements of the Local Initiative Program, subject to final program review and approval;
2. The site of the proposed project is generally appropriate for residential development;
3. The conceptual plan is generally appropriate for the site on which is located;
4. The proposed project appears financially feasible in the context of the Acton housing market;
5. The initial pro forma for the project appears financially feasible and consistent with cost examination and limitations on profits and distributions on the basis of estimated development costs;
6. The project developer and the development team meet the general eligibility standards of the Local Initiative Program;
7. The project developer controls the site.

The proposed project must comply with all state and local codes not specifically exempted by a comprehensive permit.

If a comprehensive permit is granted, a copy should be promptly provided to DHCD. The DHCD legal office will review the comprehensive permit and other project documentation. Additional information may be requested as is deemed necessary. Following the issuance of the comprehensive permit, the specifics of this project must be formalized in a regulatory agreement signed by the municipality, the project sponsor, and DHCD. The regulatory agreement must be signed and recorded prior to starting construction.

As stated in the application, the 99 Parker Street will consist of five (5) units, two (2) of which will be eligible for inclusion in the Town's subsidized housing inventory. The affordable units will be marketed and sold to eligible households whose annual income may not exceed 80% of area median income, adjusted for household size, as determined by the U.S. Department of Housing and Urban Development.

The conditions that must be met prior to final DHCD approval include:

1. A final affirmative fair marketing and lottery plan with related forms shall be submitted that reflects LIP requirements including consistency with the *Comprehensive Permit Guidelines, Section III, Affirmative Fair Housing Marketing Plans*;
2. Submission of an appraisal of the project site. This shall be a comprehensive appraisal that determines the fair market value of the site under current zoning (the "As-Is Market Value") and completed by an appraiser approved by DHCD. Alternatively, since this project is less than 20 units, the developer may submit a limited appraisal or tax assessment. This shall be done in accordance with Section IV, Part B.1 of the *Comprehensive Permit Guidelines* regarding land valuation;
3. A graphic depiction of the unit plan with square footage tabulation.
4. Any changes to the application it has just reviewed and approved, including but not limited to alternations in unit mix, sales price, development team, unit design, site plan or financial pro forma, must be approved by DHCD;
5. Documentation of the availability of construction financing for this project shall be submitted to DHCD;
6. In accordance with the *Comprehensive Permit Guidelines, Section IV (D)*, the project developer shall provide a financial surety through a letter of credit, bond or cash account to ensure completion of the cost examination and distribution of excess funds required by 760 CMR 56.04(8);

7. The project must be organized and operated so as not to violate the state anti-discrimination statute (M.G.L. c151B) or the Federal Fair Housing statute (42 U.S.C. s.3601 et seq.). No restriction on occupancy may be imposed on the affordable units other than those created by state or local health and safety laws regulating the number of occupants in dwelling units; and,

As 99 Parker Street nears completion of construction, DHCD staff may visit the site to ensure that the development meets program guidelines.

When all the units have received Certificates of Occupancy, the developer must submit to both DHCD and the Town of Acton a project cost examination prepared by a certified public accountant to meet cost certification requirements. The specifics of the cost certification obligation will be contained in the regulatory agreement to be executed by the municipality, the project sponsor and DHCD.

This letter shall expire two years from this date or on March 31, 2012 unless a comprehensive permit has been issued.

We congratulate the Town of Acton and the project sponsor on their efforts to work together to increase the Town's supply of affordable housing. If you have any questions as you proceed with the project, please call Toni Coyne Hall at 617-573-1351.

Sincerely,



Catherine Racer
Associate Director

Enc.

cc: Ron Bartl, Acton Planning and Development
Nancy Tavernier, Acton Community Housing Corp ✓
Kenneth Kozik, Zoning Board of Appeals
Dennis Dyer, Consultant
Office of the Chief Counsel, DHCD

RESPONSIBILITY FOR COST CERTIFICATION:

By your signature below, 99 Parker Street LLC, acknowledges and accepts this approval letter, including the obligation under law to provide the Department of Housing and Community Development and the Town of Acton with a project cost and income statement to determine limited dividend compliance.

Signature: _____

Names (print): _____

Date: _____

Upon receipt, please make copy of this letter and return a signed copy to Division of Housing Development, Department of Housing and Community Development, 100 Cambridge Street, Boston, MA 02114 ATTN: Local Initiative Program

99 Parker Street, Acton, Massachusetts

LOCAL INITIATIVE PROGRAM – COMPREHENSIVE PERMIT PROJECT

Sponsor:
Mark Starr
99 Parker Street LLC
22 Elm Street
Acton, MA 01720

Project Address:
99 Parker Street
Acton, MA 01720

This project will provide ownership opportunities according to the following breakdown:

Type of Unit	# Units	# Bdrms	# Baths	Gross SF	Condo Fee	Maximum Sales Price
Market Units	3	3	2.5	1400	\$100	\$174200
L.I.P. Units	2	3	2.5	1400	unknown	\$399,000
Total Units	5					