

Town of Acton

MEMO

August 26, 1986

TO: Interested Parties  
FROM: Jane E. Mahony, Town Planner  
RE: Formation of a Task Force: regarding housing issues

On July 1, 1986, a proposal was presented to the Board of Selectmen regarding housing needs within Acton; a series of grant programs sponsored by the State; and the formation of a Community Development Corporation (CDC). This memorandum is being written to inform you of events developing with relation to the CDC. I will briefly summarize the origination of this project and then explain where we want to go and why you are reading this.

As you know housing prices have increased drastically in Acton. It has become quite apparent that many citizens within the town could not afford to buy the house in which they now live and people moving into the area can not move into Acton. Both the Fair Housing Committee and the Housing Authority have been concerned with this problem and have been told that their particular mandates do not allow them to adequately address this problem. For this reason the two Boards met to discuss alternatives which would enable the "affordable housing" issue to be addressed.

Out of this meeting came the idea of developing a CDC. A CDC is an autonomous body which, in general, addresses community needs and concerns. This CDC would primarily be charged with housing issues; not subsidized - those are issues under the Housing Authorities purview and; not discrimination issues which are the purview of the Fair Housing Committee.

Prior to the development of a CDC, the Town should form a local housing partnership committee, which brings this memo up to present. The formation of a local housing partnership committee has been the reason for several recent meetings between Rick Black, Chairman of the Fair Housing Committee, Betty McManus, the Director of the Housing Authority, and myself.

The first meeting took place on August 18, 1986, during which the format of the local Housing Partnership Committee, hereinafter referred to as the Task Force, was identified and is proposed as follows:

Membership: 7 to 9 members,  
to include representatives from:  
Selectmen  
Fair Housing  
Housing Authority  
Social Services  
Legal  
Business  
Real Estate  
League of Women Voters  
Community

**Purpose:** The purpose of the Task Force is to research and develop the methodology for creating a Community Development Corporation (CDC) and further, to write the CDC's Bylaws, organize a mechanism for developing a membership, and oversee the initial start up.

**Time Frame:** This Task Force should be an action oriented Body thereby completing their purpose within a 4 to 6 month period.

**Note:** While the Task Force is designed as an extension of the Selectmen, the CDC will be a totally autonomous Body from the Town.

After identifying the above, Rick, Betty and I adjourned our meeting to discuss this project with other people in the community who have been involved in housing issues. We met again on August 21, 1986, with the addition of Barbara Yeates.

During this second meeting I informed the group that I had set a presentation date with the Board of Selectmen for September 16, 1986. In this presentation I would like to propose the formation of the Task Force, the make up and tentative membership of said Task Force, and the expected results. I am also looking toward the Fair Housing Committee and the Housing Authority to co-sponsor this proposal.

Finally, I come to why this memo has been sent to you. In developing a tentative membership your name was brought up as a concerned citizen that has expressed an interest in housing issues. Your experience and your desire to serve the community would be most beneficial in this effort to provide a variety of housing types to the citizens of Acton.

I would be most appreciative of any input you could give me as well as to know if you would be interested in participating in this project. My phone number is 264-9636 or feel free to drop by.

cc: Rick Black  
Betty McManus

0087A/9002p(1,2)

Betty McManus  
Housing Authority

TOWN OF ACTON

INTERDEPARTMENTAL COMMUNICATION

September 11, 1986

TO: Bernie Murphy, Town Manager  
FROM: Jane E. Mahony, Town Planner *JEM.*  
RE: Housing Stock and the Comprehensive Permit Process

I am writing this memo to alert you to a situation that is developing in Acton with regard to the housing stock. As you know, municipalities in the Commonwealth are taxed with the responsibility of providing a variety of housing types to their citizens. Due to the economic good fortune of the region, Actons housing stock has escalated in value to such a level that this housing diversity no longer exists.

To this end, the Acton Housing Authority has worked diligently and with much success in the provision of subsidized housing for elderly, handicapped and low and moderate income people (as defined by the Executive Office of Communities and Development). The Town of Acton now has 1.78% of their housing stock available as subsidized units to the above listed groups of people. This percentage has been developed through the efforts of the Housing Authority and through the use of Comprehensive Permits. It is still, however, far below the standards as set by the Commonwealth, which is 10% of a municipalities housing stock.

The Comprehensive Permit process, in summary, enables a housing development to be approved without complying to local zoning standards. This process can be used by the Housing Authority as the subsidized housing stock is less than 10% of the total housing stock in the community.

The situation which I was alluding to earlier is one dealing with the Comprehensive Permit process and private development. Several developers have approached the Housing Authority with proposals to build multi-family developments through the Comprehensive Permit process and in return would provide the Housing Authority with a percentage of the units (generally between 10 & 20%). This, in effect, is a developers attempt to bypass local regulations and to develop multi-family housing.

At this point, let me emphasize that the Housing Authority approached me with this situation in hopes that we could work together toward a solution to this potentially complex issue. The Housing Authority's position is one of great concern. They can not ignore the proposals set forth by developers as they have a responsibility to increase their housing stock. However, they do not want to invite an adversarial situation with the Town by sponsoring a multitude of Comprehensive Permits. The other concern is a basic one; they do not have the staff to handle the volume of work this type of proposal would entail.

This situation could have a positive or negative effect on the Town depending on the Towns reaction. To ignore would mean an open invitation to continue the development of this process. To turn this issue in the Towns favor Acton must be open and sensitive to innovative processes in land use planning and development.

The Acton Housing Authority is anxious to work with the Town on this issue. They have asked me to discuss the Towns position with them, and I, in turn, look to you for this information.

Should you wish to discuss this matter further, please let me know.

8807A/9006p(1,2)



## ACTON HOUSING AUTHORITY

Windsor Avenue  
P.O. Box 681  
Acton, Massachusetts 01720  
617/263-5339

August 26, 1986

Ms. Nancy Bartlett  
385 Main Street  
Acton, MA 01720

Dear Nancy:

Jane Mahoney, Acton's Town Planner, is working with others in Acton concerned about housing to assemble a group of community-oriented people who could help in a very specific way to tackle the lack of affordable housing in Acton. This group's task would be to set up a Community Development Corporation which would implement the goals of the Massachusetts Housing Partnership in serving first-time home buyers with low interest mortgages for new construction housing costing under \$80,000. The initial task force, which we are asking you to join, would create the bylaws, develop a representative board of directors, and explore the availability of funds to allow the hiring of a staff person for this Community Development Corporation (CDC).

Once the CDC is established, it would put together a package of private funding, interested developers and available land so that housing could be built to serve those people who are currently being squeezed out of the housing market. The target group for this would be people such as town employees, teachers, or your nursing or administrative staff.

We are hoping that you will join those who have already made a commitment to this challenge (Pam Resor, Selectman; Jana Mullin, a realtor; Barbara Yates) and me - along with others who are currently being asked. We felt that you must see, through your community contacts, the needs of the population we hope to serve. Our time frame for existence would be relatively brief. We would expect to have the CDC in place by January 1987. Some of those serving on the Task Force may choose to also serve on the CDC Board, but there are certainly those, such as myself, who will not be able to due to time constraints.

EQUAL HOUSING OPPORTUNITY

Ms. Nancy Bartlett

-2-

August 26, 1986

I know that you are extremely busy, but I hope that you will consider this exciting opportunity which has a fixed goal and limited time frame. I can be reached at my office at 263-5339 during the day, and at home at 263-3738. I would appreciate hearing from you at your earliest convenience.

Sincerely,

*Naomi E. McManus*

Naomi E. McManus  
Executive Director

NEM/aep

INTERDEPARTMENTAL COMMUNICATION

Wednesday -  
7:30 -

Dec 3

October 17, 1986

TO: Don Johnson, Town Manager  
From: Jane E. Mahony, Town Planner JEM  
RE: Task Force Appointments: Recommendation

Marketing  
Legal  
membership  
Finances - Corp.  
Commitment  
4-6/82/85

On the 16th of September, the Selectmen directed me to submit a list of appointments for the above mentioned Task Force. I am herewith submitting that list along with my strong recommendation for each of the named individuals.



Name and Address	Representation
1 - Pam Resor 5 Proctor Street	Selectmen
2 - Jana Mullin 74 Alcott Street	Fair Housing
3 - Barbara Yeates 12 Whittier Drive	Housing Authorority
4 - Nancy Bartlett 385 Main Street	Social Services
5 - Steve Graham 47 Jackson Drive	Lawyer
6 - Ray Tripp 321 Main Street	Business/medical
7 - Roy Smith 28 Joseph Reed Lane	Real Estate

I have contacted each of these individuals regarding the Task Force, its purpose and its responsibilities. They in turn have responded with a strong desire to serve in this volunteer capacity and look forward to their confirmation as Task Force members.

Should you have any further questions on this matter, please let me know.

0002R/9021p(2)

# ACTON HOUSING AUTHORITY

Windsor Avenue  
 P.O. Box 681  
 Acton, Massachusetts 01720  
 617/263-5339



TO: Task Force Committee  
 FROM: Naomi McManus  
 SUBJECT: Census Information Housing Statistics

	1980	1970
Total Population	17,544	14,770
White	17,107	
Black	127	
Eskimo, American Indian, Aleut	18	
Asian, Pacific Islander	215	
Other (Spanish)	77	

<u>Income</u>	<u>Households (5,939)</u>	<u>Families (4,470)</u>
Less than \$5,000	212	107
\$5,000-7,499	184	89
\$7,500-9,999	203	110
\$10,000-14,999	528	120
\$15,000-19,999	737	212
\$20,000-24,999	758	218
\$25,000-34,999	1219	268

Families - median income - \$31,607  
 mean income - \$34,196

Persons for whom poverty status is determined by Poverty status in 1979

	By Age	
	Above Poverty Level	Below Poverty Level
Under 55 yrs	15,018	611
55-59 yrs	615	17
60-64 yrs	415	0
65 & over	694	35

EQUAL HOUSING OPPORTUNITY

MEMORANDUM

December 18, 1986

TO: Jane Mahony and the Acton Task Force  
FROM: Annette Bloom, *AB* New England School of Law  
SUBJECT: Acton CDC Bylaws

My project for my course in Land Use is to begin the task of writing Bylaws for Acton's proposed CDC.

I suggest you approach the process step by step, it becomes a manageable task when approached in that manner. I have utilized an EOCD provided CDC Bylaw and refer to it often, especially when provisions can be adopted with minimal adjustments.

In situations where policy decisions must be made, as in the purposes of the CDC section, I have tried to include some possibilities and references. These are not legal issues and can best be addressed by you.

All Bylaw requirements under Massachusetts General Law, Chapter 40F section 1 are in capitals. This is to avoid repeated cites. These provisions, required by law, cannot be changed.

The purpose of the Bylaws is to provide for smooth operation of the CDC and to provide answers for issues that will arise. Feel free to change suggested sections to suit your requirements.

I hope my Bylaw guidelines will be helpful to you when write the Acton CDC Bylaws.

BYLAWS OF ACTON CDC

ARTICLE 1

Name and Area

Section 1

The name of this organization shall be the Acton community Development Corporation, a private nonprofit organization established under Chapter 180 of the General Laws of Massachusetts.

Section 2

Geographic area - THE CDC MUST BE ORGANIZED WITHIN A SPECIFIED GEOGRAPHIC AREA WHICH IS CONSISTENT WITH SOME EXISTING, OR COMBINATION OF EXISTING, POLITICAL BOUNDRIES. THE AGGREGATE POPULATION OF THIS AREA CANNOT EXCEED 115,000 PEOPLE. Town boundries constitute "specified geographic area.

ARTICLE II

Function and Purpose

Section 1

This corporation is organized exclusively for educational and charitable purposes. (This language is required in the Bylaws if the CDC is to receive IRS tax-exempt status.) To foster and promote community-wide interest and involvement in the problem of lack of affordable family housing.

( List tne proposed functions and purpose. )

ARTICLE III

Membership

Section 1

MEMBERSHIP IN THE CDC IS OPEN TO ALL ACTON RESIDENTS WHO ARE 18 OR OLDER.

Section 2

EACH MEMBER OF THE ACTON CDC SHALL HAVE AN EQUAL VOTE IN THE ELECTIONS FOR THE BOARD OF DIRECTORS.

Other membership issues:

- a. ( A goal of EOCD is to have an active, representative membership . EOCD recommends that a proportionate number of low income and minority residents be encouraged to join.
- b. Some communities allow a number of people who own property or work in the community to become members of the CDC.
- c. A nominal, and waiverable, membership fee may be imposed.

Section 3

For the purpose of all Board elections, the general membership must have completed and filed a membership application at least two(2) weeks prior to the election to be eligible to vote.

ARTICLE IV

Board of Directors

Section 1

There shall be a Board of Directors consisting of \_\_\_\_\_ members. The Board will have the authority to conduct the affairs of the Corporation. This authority includes....

(See attachment, pages 12&20 for guidance in specifying the powers of the Directors.)

Section 2

- A. A MAJORITY OF THE BOARD OF DIRECTORS WILL BE ELECTED BY THE FULL MEMBERSHIP OF THE CDC.
- B. THE OTHER DIRECTORS MAY BE EITHER APPOINTIES OF ELECTED STATE OR LOCAL GOVERNMENT OFFICIALS OR APPOINTEES OF OTHER NON-PROFIT ORGANIZATIONS HAVING AS A PURPOSE THE PROMOTION OF DEVELOPMENT IN THE CDC AREA. (Specify who will have the authority to appoint Directors and the number each may appoint.)
- C. AT LEAST ONE THIRD (1/3) OF THE DIRECTORD WILL BE ELECTED ANNUALLY.

(To facilitate this initially, 1/3 of the members may be elected for a 1 year term, 1/3 for a two year term, and 1/3 for a full 3 year term.)

Section 3

A majority of the non-vacant seats on the Board of Directors shall constitute a quorum for transaction of business at any meeting of the Board of Directors.

Section 4

The Board may fill vacancies in seats of elected members of the Board to complete the term until the next general election. Vacant appointed positions shall be filled by the same official or the same non-profit organization that made the original appointment.

Section 5

Any Director, absent without a reasonable explanation, from three (3) consecutive meetings of the Board of Directors shall be deemed to have submitted a resignation, unless the Board shall vote to excuse the member's absence.

Section 6

No Director or Officer shall receive any compensation from the corporation. The Board may see it fit to reimburse its Directors and Officers for reasonable and necessary expenses incurred.

Section 7

Members of the Board of Directors are prohibited from accepting gifts, monies or gratuities from any persons receiving benefits or services under any program financed by public funds; or from any person or agency performing services under contract; or from persons in a position to benefit from the action of the Board member.

(See attachment, page 18, for other conflict of interest provisions.)

ARTICLE V

Officers

(See attachment, page 14, Sections 1-4 for easily adaptable provisions.)

ARTICLE VI

Section 1

To induce Officers and Directors to serve in such capacity, it is customary to protect them from liability <sup>for</sup> acts, or omissions, performed in their role as Officer or Director.

This indemnification does not apply to liability for misconduct or negligence in the performance of these duties.

(see Attachment, pages 15&18 for examples of indemnification provisions.)

ARTICLE VII

Executive Committee

Section 1

The Executive Committee shall consist of the Officers and  
\_\_\_ other Board members.

Section 2

The Executive Committee shall be empowered to act on behalf  
of the Board of Directors between meetings. Any action taken  
by the Executive Committee shall be subject to ratification  
by the Board at its next meeting.

Section 3

The Executive Committee shall hold meetings as required by one  
or more of its members.

ARTICLE VIII

Nominating Committee

Section 1

The Chairperson of the Board of Directors shall appoint  
\_\_\_ members of the Board of Directors, who are not Officers,  
to serve on the Nominating Committee.

Section 2

The duties of the Nominating Committee are:

- A. To nominate persons for election to the Board of Directors at general election.
- B. To nominate persons to serve as Officers of the Board.
- C. To nominate persons to serve as members at large on the Executive Committee.

A written report of the nominations shall be sent to each of the Directors at least ten days prior to the election meeting.

Section 3

The Board of Directors may, by vote of the majority, appoint additional committees as the needs of the corporation may require.

Section 4

All committees, with the exception of the Executive Committee, shall be advisory and recommending in nature. Members shall be selected from members of the Board or from the general membership. The reports of all committees shall be read into the minutes of the meeting at which they are presented.

ARTICLE IX

Meetings

Section 1

All meetings of the Acton CDC shall be posted in accordance with the Chapter 303, Acts of 1975, Open Meeting Law, and the Board of Directors shall be notified at least five (5) days in advance.

Section 2

The date for the annual meeting (specify date-ex., first Monday of April) of the general membership for the purpose of annual reports and other appropriate business. (Provision must also be made for the annual election of the Board of Directors.) Additional membership meetings may be planned or may be called at any time by the Board of Directors.

Section 3

The Board of Directors shall meet at least \_\_times per year.

Section 4

Roberts's Rules of Order shall govern the proceedings.

• The order of business at regular meetings shall be:

- A. Call to order or determination of the presence of a forum.
- B. Approval of minutes of previous meeting.
- C. Report of Executive Director (or Treasurer).
- D. Reports of Committees.
- E. Unfinished business.
- F. New business.
- G. Adjournment.

OR

A less structured meeting:

In the event of conflicts about procedure, "Roberts' Rules of Order" will govern.

#### Section 5

All meetings shall be open to the public and held in a public place. Records and minutes of the meetings shall be available for public inspection.

### ARTICLE X

#### Amendment of Bylaws

#### Section 1

The Bylaws may be amended by 2/3 vote of the Board of Directors at any meeting of the Board. A copy of the proposed amendment shall be furnished to each Director at least seven (7) days prior to such meeting.

OR

The Bylaws may be amended by a majority vote of members present and voting at a duly constituted meeting of the membership provided that every member receives notice (through publication in the local newspaper and through posting) at least 5 days prior to the meeting.

ARTICLE XI

Liquidation of Corporation

See Article X, Attachment, page 18.

ARTICLE XII

Adoption of Bylaws

Section 1

These Bylaws shall be adopted by a majority vote of the members at the first duly constituted meeting of the members.

FAIR HOUSING  
TOWN OF ACTON  
14 FOREST ROAD  
ACTON, MA 01720  
264-9636

Franklin Young  
Massachusetts Commission Against Discrimination  
One Ashburton Place  
Boston, Massachusetts 02018

January 15, 1987

Dear Mr. Young;

In accordance with the requirements of the Town of Acton's Fair Housing Plan, I hereby submit for your review and records the Acton Fair Housing Committee's quarterly report ending December 31, 1986.

The Committee met three times this quarter. Enclosed with this report are the minutes from the October, November and December meetings. In summary, the October meeting contained a report from committee members on the poster distribution program. We were all somewhat pleased to see that all but a few of the targeted businesses had posters in place. A work program was also developed regarding the identification of issues and audiences.

Novembers meeting developed two major projects for the coming year.

- 1) brochure
- 2) tape and/or slide show

Subcommittees were formed to tackle these projects and were to return at the December meeting with project outlines.

The December meeting developed a policy statement to be distributed to all Town boards and committees. The project subgroups reviewed their progress. The slide show subgroup discussed private sector involvement both financial and supportive technically.

During the above referenced quarter several complaints and inquiries were received in this office. None of the complaints regarded discrimination issues and all questions related to condo conversions which were either answered or directed to the local condo conversion special permit granting authority (Board of Selectmen).

The Committee will be developing a brochure and the initial format of a slide show in the next quarter.

Should you have any questions as to the progress of the Fair Housing Committee, please give me a call at 264-9636.

Sincerely,  
  
Jane E. Mahony  
Fair Housing Director

attach.  
0007M/8522P

Fair Housing Committee  
Minutes

October 1, 1986 @ 7:00 p.m.

Present: Rick Black, Barbara Smith, Jane Mahony.

ITEM 1: Status of Poster Inventory

Ms. Smith completed the bank inventory and all banks have posters.

Ms. Mullin was to distribute the posters to the realtors offices over the weekend of September 27, 1986.

Mr. Black plans to submit a press release indicating the completion of the inventory and notification that the signs are in place.

There was some discussion regarding the upcoming Community Resource Conference on October 15, 1986. It was decided that there should be representation at this conference. Mr. Black will try to attend.

ITEM 2: Develop Work Program

Community awareness was the key discussion item. Two specific programs were identified:

- 1 - Develop program - what issues are critical regarding the fair housing issue.
- 2 - Identify audiences.

The program content should include the fact that the Committee exists, what the Committee does, and what the Committees mandate is.

A suggestion was made to track several houses showing the history of the house, the professions of the dwellers and their salary history. This information will help to highlight the types of people unable to locate within the Town.

ITEM 3: Committee Membership

A letter was read from Mr. David Hartwell indicating interest in the housing issue. Ms. Mahony was directed to pursue this for more information.

It was suggested that Ms. McManus be contacted for possible future Committee member contacts.

ITEM 4: Policy Statement Formulation

Purpose - is to form broad statements on relevant issues.

Mr. Black indicated that he would like to pursue fair housing issues with the proposed CDC.

Ms. Mahony discussed the importance of the Committee to review the warrant articles for the October Town Meeting and to issue a policy statement if necessary. It was decided that Ms. Mahony would distribute the list of warrant articles, when they become available, and members would be called to see if they want to get together to form any such statements prior to the Town Meeting.

ITEM 5: Other Business

Mr. Black requested that it should be checked when the Committees' appointments were made and when each members term is up.

Ms. Smith mentioned the need to update the Community profile and the statistics.

Meeting adjourned at 8:35 p.m.

0049A/8519P(1,2)

Fair Housing Committee Minutes  
November 5, 1986, 7:00 p.m.

Present: Rick Black, Jana Mullin, Lorita Brockington, Bill Gothorpe, Jane Mahony.

Meeting called to order at 7:08 p.m. by Rick Black, Chairman.

Mr. Black reviewed a meeting attended by himself and Jane Mahony at Mitre Corp. on October 29, 1986. As Artington was used as an example of a pro-fair housing community, Mr. Black briefly summarized their program:

- 1) committee met with the real estate community
- 2) drew up a brochure
- 3) met with large area corporations
- 4) compiled a "show" to promote fair housing practices with civic groups

A proposal was then made as to the Committees work program over the next year. Mr. Black proposed two major projects:

- 1) brochure and realtor work
- 2) tape and/or slide show

To accomplish these projects subgroups will be formed.

Demographics was also an issue brought up that is in need of work.

The Committee formally adopted the brochure, the media show and demographics as the elements of the annual work plan.

Mr. Black and Ms. Brockington will work on the media show. Ms. Mullin and Mr. Gothorpe will work on the brochure. Ms. Smith will update the demographic information with assistance from Ms. Mahony.

Concerns relating to the media show were raised. Among them were cost and use. The initial groups this should be focused on are realtors, churches and civic groups.

Elements of the show should include:

- how the Town can profit
- interviews with various people
- notion that Town is being cheated culturally
- program should be an upper
- to get the Town to invest in the community

A proposed outline for the show contained:

- this is Acton
- how we got where we are
- what happened
- need to reach out for diversity
- different housing stock

Time period: by September of 1987

The remainder of the meeting involved the preparation of a policy statement on housing and land use issues. The intent of this statement will be to hold the town accountable in all deliberations and to constantly be aware of fair housing issues.

The policy statement should indicate the State mandate. We, as a community, should be aware of what. We will lose should this mandate not be followed.

The next meeting is scheduled for December 3, 1986. It shall deal with a policy statement, and outlines on the two adopted work programs.

The meeting adjourned at 9:15 p.m.

0007M/8519P(3,4)

Fair Housing Committee  
December 3, 1985  
Minutes

Members Present: Rick Black, Lorita Brockington, Barbara Smith, Jana Mullin

Meeting began at 7:05 p.m.

Mr. Black reviewed the need for a policy statement on behalf of the Fair Housing Committee. The Committee reviewed the Arlington Fair Housing Brochure selecting two items as appropriate for the Acton statement. One was the elimination of barriers to housing, the other was to promote equal choice and access to housing. In summary, the Committee wanted to express their mandate of eliminating barriers that discourage people from settling in this community in the form of a policy statement.

The following statement was decided on by the Committee:

Acton has made a strong commitment to fair housing and to eliminating barriers that discourage people from settling in or remaining in this community. The Fair Housing Committee was established by the Selectmen for the purpose of monitoring all town agencies as well as all those who are involved in the purchase, sale, development, and rental of housing in the town. We, therefore, urge that all decisions regarding the use and development of properties in Acton conform to the mandate for fair housing and that the Fair Housing Committee be consulted in all decisions regarding such use and development.

Ms. Brockington reviewed an outline of the video presentation that she and Rev. Black compiled. The key message that this presentation aims to get across is one of wanting the Town to see the benefit of complying. The group proposed to begin with a historical perspective, then highlight individual stories through the eyes of the elderly, the misplaced and the youth. Then to summarize the message that is being presented. A message that the town is an "open" place and should benefit from shared cultural experiences. Instead of using a hammer, the Committee should present a positive image of what the Town will get.

Ms. Mullin suggested using the concept of negative growth, where people who support the Town, i.e., teachers, firemen, policemen, and town employees, can't afford to live here.

Ms. Brockington and Rev. Black proposed taking a presentation to Digital or other companies and request some technical assistance such as photography, printing, etc. The title of this presentation will tentatively be called "Growing Pains".

The next step will be to identify companies and contact their personnel departments. Interview with the following type of questions:

- what is the impact on your company of the housing costs in Acton
- where do your entry level and minority people settle
- would you be receptive toward assisting with this effort

The next meeting will be held on January 7, 1987 at 7:00 p.m.

Meeting adjourned at 8:40 p.m.

0007p/8521P(1)

HOUSING COORDINATOR

for the Acton Housing Task Force

Position:

part time of approximately 20 hours per week  
term of 8 to 10 months

Tasks:

compile community statistics  
coordinate funding plan  
coordinate committee needs  
coordinate organization of non profit agency  
coordinate two housing workshops  
/coordinate task force meetings

Salary:

\$12.00 per hour  
(based on an annual salary of \$24,960.00 for a  
40 hour week)  
total for a 20 hour week for an 8 month period  
would be \$8,400.00

Housing Task Force

Time line of Task Force inception and activities

July 1, 1986

Presentation to Selectmen on the affordable housing issue, a proposal to create a non-profit housing partnership and a comprehensive grant program.

Selectmen endorsed the proposals and recommended researching the issue and returning with a recommendation on how to proceed.

August 26, 1986

Presentation to the Selectmen with a recommendation to form a citizen group (task force) for the purpose of researching and developing the methodology for creating a non-profit corporation and further, to write the bylaws for said corporation, to organize a mechanism for developing a membership, and to oversee the initial start-up.

Selectmen endorsed this presentation and directed staff to submit names for the Task Force for Selectmen approval.

October 17, 1986

Selectmen approved appointments for Task Force membership.

November 7, 1986

Organizational meeting

December 3, 1986

Determination of needs for Task Force to define work schedule.

January 7, 1987

State housing representatives spoke to Task Force.

January 21, 1987

Discussion of direction Task Force should move based on data gathered and State recommendations.

February 4, 1987

Discussion on start-up funding, resolution for Town Meeting, and division into sub-groups.

March 4, 1987

Discussion on upcoming meeting with Selectmen and development of March 14, 1987 workshop.

March 10, 1987

Meet with Selectmen.



TOWN OF ACTON  
TOWN CLERK  
TOWN HALL  
472 MAIN STREET  
ACTON, MASSACHUSETTS 01720  
TELEPHONE (617) 264-9615

EXCERPT OF THE PROCEEDINGS OF THE ANNUAL TOWN MEETING  
HELD APRIL 7, 1987 WITH ADJOURNED SESSIONS HELD  
APRIL 8, 1987, APRIL 9, 1987 AND APRIL 11, 1987

ARTICLE 51. Fair Housing Resolution

To see if the Town will vote to adopt the following resolution:

- WHEREAS the recent sharp increases in housing costs have priced families and individuals out of the homebuying market;
- WHEREAS the Massachusetts Zoning Act (Chapter 40A of the M.G.L.) provides that one of the purposes for zoning is to encourage housing for persons of all income levels;
- WHEREAS many who work within the community can no longer afford to locate within its boundaries; and
- WHEREAS the adult children of Acton are finding it increasingly difficult to stay within the community due to the high cost of housing;

BE IT therefore RESOLVED that the Town of Acton promote the provision of affordable housing within its boundaries, and further support the investigation and potential formation of a public non-profit autonomous body to promote affordable housing.

ARTICLE 51.

Voted: That the Affordable Housing Resolution be adopted as follows:

- WHEREAS the recent sharp increases in housing costs have priced families and individuals out of the homebuying market;
- WHEREAS the Massachusetts Zoning Act (Chapter 40A of the M.G.L.) provides that one of the purposes for zoning is to encourage housing for persons of all income levels;
- WHEREAS many who work within the community can no longer afford to locate within its boundaries; and
- WHEREAS the adult children of Acton are finding it increasingly difficult to stay within the community due to the high cost of housing;

BE IT therefore RESOLVED that the Town of Acton promote the provision of affordable housing within its boundaries, and further support the investigation and potential formation of a public non-profit autonomous body to promote affordable housing.

April 1987

# Affording Acton is tough

## Town Meeting to weigh subsidized housing

By Jeri Rowe  
NEWS STAFF WRITER

ACTON — A year ago, Charles Kostro Jr. found himself throwing money away to pay for an expensive apartment in northeast Acton.

Kostro and his roommate paid \$710 a month for a spacious two-bedroom apartment. But their monthly rental payment often squeezed hard-earned money from the two, causing them to decide what they could do without.

"When you make \$20,000 a year and have to worry about buying your next pair of shoes, you wonder if you'll ever get ahead," the 24-year-old Kostro said.

This situation was hard to swallow for Kostro. The longtime Acton resident had graduated from the University of Massachusetts at Amherst in 1984 and came home to put his political science degree to work.

At the same time, however, the town's escalating housing costs dimmed his hopes of ever becoming a selectman.

A year ago, Kostro won a selectman's seat, but had to make a tough decision — either pack his bags or find a more economical place to live in town.

Kostro moved back home.

"With the money I'm making, I thought I could afford a place in town, but I can't do it," he said.

Less than 10 miles away, Sudbury already has moved forward to help residents in the same fix as Kostro.

Beginning tomorrow at town meeting, Sudbury residents will decide whether to support an article to build 14 units of state-subsidized housing on two sites.

Acton at its Town Meeting Tuesday will take the first step toward what Sudbury voters may finalize tomorrow night.

Town officials will ask Acton residents for the first time ever to support a resolution on affordable housing and form a non-profit group to look for possible sites.

Without such a resolution, town and state officials say developers could skirt local bylaws and provide affordable housing through a comprehensive permit.

The town also could plunge into

an economic decline because such workers as low-level managers, firefighters and teachers will be forced to seek employment elsewhere, officials said.

"You may have a community that can house all of an industry's executives, but you also need a place for someone to live who cleans their floors," said Alex Rodriguez, chairman of the

Massachusetts Commission Against Discrimination.

The need for affordable housing crept up on Acton, as it did in many other MetroWest towns. In the past two years, housing costs have jumped by a third — a \$225,000 house has skyrocketed to a \$350,000 market price because of many factors.

Acton's high standard of living



NEWS PHOTO BY CHRISTOPHER FITZGERALD

Charles Kostro, 25, an Acton selectman lives at home with his parents, Charles Sr. and Claire Kostro, because he cannot afford to live on his own in the high-priced community. Acton Town Meeting this week will be asked to form a non-profit group to look for possible affordable housing sites.

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# Town Meeting Briefs

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## Housing backed

ACTON — A non-binding referendum supporting affordable housing in town was approved by a voice vote at Town Meeting Saturday.

The wording was amended from "fair" to "affordable" on a motion by Steven Graham, member of the Housing Task Force. A separate Fair Housing Commission deals with that issue, Graham explained.

Graham said the task force is addressing the need to provide homes for those who work in Acton, those who grew up here and cannot afford to live here, and the elderly.

Endorsement of the task force's goals will pave the way for the study, at no expense to the town, of various ways of fulfilling housing needs, Graham said.

ACTON COMMUNITY HOUSING CORPORATION

BOX 681

ACTON, MASSACHUSETTS 01720

HISTORY OF THE ACTON COMMUNITY HOUSING CORPORATION

JUNE OF '86

THE ACTON HOUSING AUTHORITY, THE ACTON FAIR HOUSING COMMISSION AND LOCAL CHURCH REPRESENTATIVES MET WITH THE ACTON SELECTMEN TO DISCUSS AND RECEIVE THEIR APPROVAL IN THE SUBMISSION OF AN APPLICATION TO EOC D FOR THE TOWN TO BECOME A MEMBER OF THE MASSACHUSETTS HOUSING PARTNERSHIP.

FALL OF '86

ACTON SELECTMEN APPOINTED A TWELVE (12) MEMBER HOUSING TASK FORCE TO STUDY THE NEED OF AFFORDABLE HOUSING.

SPRING OF '87

TOWN MEETING VOTED TO AUTHORIZE THE ACTON SELECTMEN TO DEVELOP A PROCESS TO PROVIDE AFFORDABLE HOUSING FOR TOWN EMPLOYEES, ADULT CHILDREN OF ACTON RESIDENTS AND FOR THOSE PEOPLE WHO LIVE/WORK IN THE TOWN.

AUGUST '87

SELECTMEN VOTED TO DESIGNATE UP TO TWELVE COMMUNITY PEOPLE AS MEMBERS OF THE ACTON COMMUNITY HOUSING CORPORATION.

JUNE '88

SELECTMEN VOTED TO ADOPT ACHC'S MISSION STATEMENT.

ACCOMPLISHMENTS

1. AT THE JUNE '88 MASSACHUSETTS HOUSING EXPO ACTON WAS CITED BY AMY ANTHONY, SECRETARY OF THE EXECUTIVE OFFICE OF COMMUNITIES AND DEVELOPMENT AS ONE OF FIVE COMMUNITIES IN THE STATE TO RECEIVE THE COMMUNITY EXCELLENCE IN AFFORDABLE HOUSING AWARD.

2. MASSACHUSETTS HOUSING PARTNERSHIP AWARDED ACTON \$25,000 FOR A STRATEGIC PLANNING GRANT.

3. ACTON RECEIVED A \$5000.00 GRANT FROM MHP TO HIRE A CONSULTANT TO REVIEW A DEVELOPER'S PROPOSED PROJECT.

4. MASSACHUSETTS HOUSING PARTNERSHIP AWARDED ACTON A \$30,000 GRANT IN ORDER TO HIRE A PARTNERSHIP PLANNER. ACTON WAS DESIGNATED BY MHP/EOCD TO BE THE LEAD COMMUNITY FOR THE SHARING OF THE PARTNERSHIP PLANNER.

5. ACTON RECEIVED FORMAL NOTIFICATION THAT THREE AFFORDABLE HOUSING DEVELOPMENTS HAD SET ASIDE FUNDING.

ACTON COMMUNITY HOUSING CORPORATION

LOCAL PREFERENCE GUIDELINES

LOCAL PREFERENCE IS GIVEN TO PEOPLE WHO MEET ONE OR MORE OF THE FOLLOWING CRITERIA:

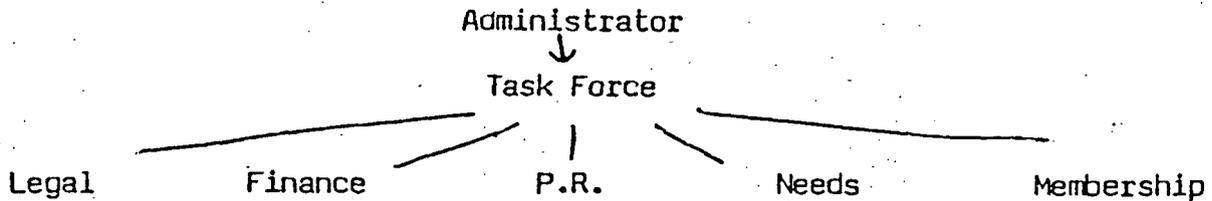
1. EMPLOYED BY THE TOWN OF ACTON, ACTON-BOXBOROUGH REGIONAL SCHOOL DISTRICT, OR ACTON WATER DISTRICT.
2. CURRENT ACTON RESIDENT
3. CHILD OF A CURRENT ACTON RESIDENT
4. EMPLOYEE WORKING IN ACTON

IN ALL CASES APPLICANTS MUST BE A FIRST TIME HOMEBUYER

TO: Affordable Housing Task Force  
FROM: Betty McManus, Doli Atamian, Membership Committee

Preliminary

This is how we envision the CDC set up:



The Task Force would continue to meet each month. Task Force members would act as Chair for each subcommittee meeting, as needed, with direction/tasks originating from the Task Force and administrator.

Suggestions

- 1) Number of members of CDC would be determined by Bylaws and information from Task Force. We feel representation should include;
  - a) Business (small & large)
  - b) Clergy
  - c) Schools
  - d) Town Employees
- 2) Membership co/chairs should meet with each subcommittee chair to determine needs before soliciting members.
- 3) Non-resident members (with exception of Boxborough) not to be solicited until CDC is operational.
- 4) Dues - need clarification from Task Force.
- 5) Membership drive to be initiated when co/chairs have a clear idea of each subcommittee's needs.

Comments/Suggestions \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

THE HOUSING TASK FORCE  
14 FOREST ROAD  
ACTON, MA 01720

SHARING  
INFORMATION  
ABOUT OUR  
COMMUNITY NEEDS  
FOR AFFORDABLE  
HOUSING...

March 14, 1987

The Housing Task Force and  
you.

## WHEREAS

the recent sharp increases in housing costs have priced families and individuals out of the homebuying market;

## WHEREAS

the Massachusetts Zoning Act (M.G.L. Chapter 40A) provides that one of the purposes for zoning is to encourage housing for persons of all income levels;

## WHEREAS

many people who serve this community can no longer afford to locate within its boundaries; and

## WHEREAS

the adult children of Acton are finding it increasingly difficult to stay within the community due to the high cost of housing;

## BE IT THEREFORE RESOLVED

that the Town of Acton promote the provision of affordable housing within its boundaries, and further support the investigation and potential formation of a public non-profit autonomous body to promote affordable housing.

Resolution to be presented  
to Acton Town Meeting,  
April 1987.

## WHO?

Last Fall a Housing Task Force was established by the Town of Acton to research the methods available to the Town for increasing its supply of affordable housing for all of its citizens. The Task Force is made up of representatives from Town boards and committees, social agencies, the professional and development sectors and the Housing Authority.

## WHAT?

The Task Force has been meeting regularly discussing housing needs and possible approaches to solving those needs. Now we would like to share our information and to have your input. We have prepared a resolution for town meeting to further ascertain the support within the community for this endeavor. We hope you can join us to discuss the issues of affordable housing.

## WHERE?

Acton Boxborough Junior High School, in the West wing across from the Superintendents office.

## WHEN?

Saturday morning,  
March 14, 1987 from 9:30 until 11:30.

## RSVP

Doli Atamian 263-4447  
Jane Mahoney 264-9636



# ACTON HOUSING AUTHORITY

Windsor Avenue  
P.O. Box 681  
Acton, Massachusetts 01720  
617/263-5339

MAY 20, 1987

MEMO:

TO: TASK FORCE

FROM: MEMBERSHIPS SUB-COMMITTEE

THIS MEMO IS MEANT AS A RECOMMENDATION ONLY FOR CONSIDERATION BY THE TASK FORCE.

1. General Membership should consist of 50 Members.
2. Directors/Board - 12 members
3. Special Committees (5) with Chairpersons made up from the Board of Directors. Membership to committees will be drawn from General Membership.
4. Five Committees
  - A. Needs Assessment Committee
  - B. Finance Committees
  - C. Membership Committee
  - D. Public Relations Committee
  - E. Bylaws/personnel Committee
5. Staff (1) full time
6. No Dues at this time
7. The Directors/Board meet once a month  
General Membership to meet annually  
Sub Committees meet as needed bi-monthly

## GENERAL MEMBERSHIP

1. Business Representatives  
(small and large)
2. Clergy
3. School
4. Town Employees
5. Interested eligible citizens
6. Business/non residents (small%)

## BOARD/DIRECTORS

1. Developer
2. Attorney
3. Finance/Bank
4. Housing Authority Representative
5. Clergy
6. Business Representative
7. Boxboro Representative
8. Selectmen Representative
9. Fair Housing Committee Rep.
10. Consumer Representative
11. Appointed by Moderator
12. Appointed by Moderator



DON P. JOHNSON  
TOWN MANAGER

TOWN OF ACTON  
TOWN HALL  
472 MAIN STREET  
ACTON, MASSACHUSETTS 01720  
TELEPHONE (617) 264-9612

BOARD OF SELECTMEN  
DONALD R. GILBERTI - CHAIRMAN  
WILLIAM F. WEEKS - VICE-CHAIRMAN  
CHARLES E. KOSTRO, JR. - CLERK  
F. DORE HUNTER  
NANCY E. TAVERNIER

September 16, 1987

Mr. Joseph L. Flatley, Assistant Secretary  
Massachusetts Housing Partnership  
100 Cambridge Street  
Boston, MA 02202

Dear Mr. Flatley:

The Town of Acton has worked diligently over the past year to create a viable mechanism for the promotion and provision of affordable housing. In August of 1987, a Community Development Corporation was incorporated for this specific task. Their Articles of Incorporation are attached for your information.

On August 11, 1987, the Selectmen voted unanimously in favor of this incorporation. This vote not only indicated the Selectmen's support for affordable housing, but also signified their desire to have the Acton Community Housing Corporation act as the Town's agent with relation to activities involving the Massachusetts Housing Partnership and the affordable housing effort.

It is with a great amount of pleasure that I submit this information to you as it is both a culmination of Acton's initial efforts in creating a Community Development Corporation to deal with the housing issue, and a first step in the Town's attempt to pro-actively provide affordable housing.

Please let me know if you require any further information to enable the Acton Community Housing Corporation to act as Acton's affordable housing entity.

Very truly yours

Don P. Johnson  
Town Manager

Enclosure

cf: Owen Cardwell  
Acton Community Housing Corp  
Selectmen



# The Commonwealth of Massachusetts

Office of the Secretary of State  
One Ashburton Place, Boston, MA 02108

Michael Joseph Connolly, Secretary

## ARTICLES OF ORGANIZATION

(Under G.L. Ch. 180)

Incorporators

### NAME

### RESIDENCE

Include given name in full in case of natural persons; in case of a corporation, give state of incorporation.

Steven R. Graham	47 Jackson Drive	Acton, Massachusetts 01720
Roy C. Smith	28 Joseph Reed Lane	Acton, Massachusetts 01720
Brian D. Lanigan	24 Conant Street	Acton, Massachusetts 01720

001002523

The above-named incorporator(s) do hereby associate (themselves) with the intention of forming a corporation under the provisions of General Laws, Chapter 180 and hereby state(s):

- The name by which the corporation shall be known is:

87 237001

Acton Community Housing Corporation

- The purposes for which the corporation is formed is as follows:

To operate exclusively for charitable and educational purposes and to promote the provision of affordable housing within the town of Acton, and generally do all acts and things permitted to non-profit corporations under the provisions of Chapter 180 of the General Laws of Massachusetts and Section 501 (c)(3) of the Internal Revenue Code of 1954, as from time to time amended.


9

Note: If the space provided under any article or item on this form is insufficient, additions shall be set forth on separate 8 1/2 x 11 sheets of paper leaving a left hand margin of at least 1 inch for binding. Additions to more than one article may be continued on a single sheet so long as each article requiring each such addition is clearly indicated.

If the corporation has more than one class of members, the designation of such classes, the manner of election or appointment, the duration of membership and the qualification and rights, including voting rights, of the members of each class, are as follows: -

Not Applicable

4. Other lawful provisions, if any, for the conduct and regulation of the business and affairs of the corporation, for its voluntary dissolution, or for limiting, defining, or regulating the powers of the corporation, or of its directors or members, or of any class of members, are as follows:-

The corporation shall have the following powers in furtherance of its corporate purposes:

- (a) The corporation shall have perpetual succession in its corporate name.
- (b) The corporation may sue and be sued.
- (c) The corporation may have a corporate seal which it may alter at pleasure.
- (d) The corporation may elect or appoint directors, officers, employees and other agents, fix their compensation and define their duties and obligations.
- (e) The corporation may purchase, receive, take by grant, gift, devise, bequest or otherwise, lease, or otherwise acquire, own, hold, improve, employ, use and otherwise deal in and with real or personal property, or any interest therein, wherever situated, in an unlimited amount.
- (f) The corporation may solicit and receive contributions from any and all sources and may receive and hold, in trust or otherwise, funds received by gift or bequest;

If there are no provisions state "None".

(g) The corporation may sell, convey, lease, exchange, transfer or otherwise dispose of mortgage, pledge, encumber or create a security interest in, all or any of its property, or any interest therein, wherever situated.

(h) The corporation may purchase, take, receive, subscribe for, or otherwise acquire, own, hold, vote, employ, sell, lend, lease, exchange, transfer, or otherwise dispose of, mortgage, pledge, use and otherwise deal in and with; bonds and other obligations, shares, or other securities or interests issued by others, whether engaged in similar or different business, governmental, or other activities.

(i) The corporation may make contracts, give guarantees and incur liabilities, borrow money at such rates of interest as the corporation by mortgage, pledge or encumbrance of, or security interest in, all or any of its property or any interest therein, wherever situated.

(j) The corporation may lend money, invest and reinvest its funds, and take and hold real and personal property as security for the payment of funds so loaned or invested.

(k) The corporation may do business, carry on its operations, and have offices and exercise the power granted by the Massachusetts General Laws, Chapter 180, as now in force or as hereafter amended, in any jurisdiction within or without the United States, although the corporation shall not be operated for the primary purpose of carrying on for profit a trade of business unrelated to its tax exempt purposes.

(l) Unless the corporation is entitled to exemption from federal income tax under Section 501(c) (3) of the Internal Revenue Code in which case it shall make no contribution for other than religious, charitable, scientific, literary or educational purposes, the corporation may make donations in such amounts as the members or directors shall determine, irrespective of corporate benefit, for the public welfare or for community fund, hospital, charitable, religious, educational, scientific, civic, agency in aid thereof.

(m) The corporation may be an incorporator of other corporations of any type or kind.

(n) The corporation may be a partner in any business enterprise which it would have the power to conduct by itself.

(o) The director may make, amend, or repeal the by-laws in whole or in part, except with respect to any provision thereof which by law or the by-laws requires action by the members.

(p) Meetings of the members may be held anywhere in the United States.

(q) The corporation shall, to the extent legally premissable and only to the extent that the status of the corporation as an organization except under Section 501 (c)(3) of the Internal Revenue Code is not affected thereby, indemnify each of its directors, officers, employees, or other agents (including persons who serve at its request as directors, officers, employees, or other agents of another organization in which it has an interest) against all liabilities and expenses, including amounts paid in satisfaction of judgements, in compromise of fines and penalties, and counsel fee, reasonably incurred by him in connection with the defense or disposition of any action, suit or other proceeding, whether civil or criminal, in which he may be involved or with which he may be threatened, while in office or thereafter, by reason of his being or having been such a director, officer, employee, or agent, except with respect to any matter as to which he shall have been adjudged by a court of competent jurisdiction not to have acted in good faith in the reasonable belief that his action was in the best interest of the corporation, provided, however that as to any matter disposed of by a compromise payment by such director, officer, employee, or agent, pursuant to a court decree or otherwise, no indemnification either for said payment or for any other expense shall be provided unless such compromise shall be approved as in the best interest of the corporation, after notice that it involves such indemnification: (a) by a disinterested majority of the directors then in office; or (b) by a majority of the disinterested directors then in office, provided that there has been obtained an opinion in writing of independent legal counsel to the effect that such director, officer, employee, or agent appears to have acted in good faith in the reasonable belief that his action was in the best interest of the corporation; or (c) by a majority of the disinterested member entitled to vote, voting as a single class. Expenses including counsel fees, reasonably incurred by any such director, officer, trustee, employee or agent in connection with the defense or disposition thereof upon receipt of an undertaking by such individual to repay the amounts so paid from time to time by the corporation in advance of the final disposition thereof upon receipt of an undertaking by such individual to repay the amounts so paid to the corporation if he shall be adjudicated to be not entitled to indemnification under Massachusetts General Laws, Chapter 180, Section 6. The right of indemnification hereby provided shall not be exclusive of or affect any other rights to which any director, officer, employee, or agent may be entitled.

Nothing contained herein shall affect any rights to indemnification to which corporate personnel may be entitled by contract or otherwise under law. As used in this paragraph, the terms "directors", "officers", "employee" and "agent" include their respective heirs, executors and administrators, and an "interested" director is one against whom in such capacity the proceedings in question or another proceeding on the same or similar grounds is then pending.

(r) No person shall be disqualified from holding any office by reason of any interest. In the absence of fraud, any director, officer, or member of this corporation individually, or any individual having any interest in any concern in which any such directors, officers, members, or individuals have any interest, may be a party to, or may be pecuniarily or otherwise interested in, any contract, transaction, or other act of this corporation, and

(1) such contract, transaction, or act shall not be in any way invalidated or otherwise affected by that fact;

(2) no such director, officer, member, or individual shall be liable to account to this corporation for any profit or benefit realized through any such contract, transaction, or act, and

(3) any such director of this corporation may be counted in determining the existence of a quorum at any meeting of the directors of any committee thereof which shall authorize any such contract, transaction or act, and may vote to authorize the same;

the term "interest" including personal interest and interest as a director, officer, stockholder, shareholder, trustee, member or beneficiary of any concern; the term "concern" meaning any corporation association, trust partnership, firm, person, or other entity other than this corporation.

(s) No part of the assets of the corporation and no part of any not earnings of the corporation shall be divided among or inure to the benefit of any officer or director of the corporation or any private individual or be appropriated for any purposes other than the purposes of the corporation as herein set forth; and no substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting, to influence legislation, and the corporation shall not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of any candidate for public office. It is intended that the corporation shall be entitled to exemption from federal income tax under Section 501(c)(3) of the Internal Revenue Code and shall not be a private foundation under Section 509(a) of the Internal Revenue Code.

(t) Upon the liquidation or dissolution of the corporation, after payment of all of the liabilities of the corporation or due provision therefor, all of the assets of the corporation shall be disposed of to one or more organizations exempt from federal income tax under Section (c)(3) of the Internal Revenue Code.

(u) In the event that the corporation is a private foundation as that term is defined in Section 509 of the Internal Revenue Code, then notwithstanding any other provisions of the articles or organization or the by-laws of the corporation, the following provisions apply:

The directors shall distribute the income for each taxable year at such time and in such manner as not to become subject to the tax on undistributed income imposed by Section 4942 of the Internal Revenue Code.

The directors shall not engage in any act of self-dealing as defined in Section 4941(d) of the Internal Revenue Code; nor retain any excess business holdings as defined in Section 4943(c) of the Internal Revenue Code; nor make any investments in such manner as to incur tax liability under Section 4944 of the Internal Revenue Code; nor make any taxable expenditures as defined in Section 4965(d) of the Internal Revenue Code.

(v) The corporation may have and exercise all powers necessary or convenient to effect any or all of the purposes for which the corporation is formed provided that no such power shall be exercised in a manner inconsistent with Massachusetts General Laws, Chapter 180 or any other chapter of the General Laws of the Commonwealth of Section 501(c) (3) of the Internal Revenue Code.

(w) All references herein to the Internal Revenue Code shall be deemed to refer to the Internal Revenue Code of 1954, as now in force or hereafter amended.

5. By-laws of the corporation have been duly adopted and the initial directors, president, treasurer and clerk or other presiding, financial or recording officers whose names are set out below, have been duly elected.
6. The effective date of organization of the corporation shall be the date of filing with the Secretary of the Commonwealth or if later date is desired, specify date, (not more than 30 days after date of filing).
7. The following information shall not for any purpose be treated as a permanent part of the Articles of Organization of the corporation.

a. The post office address of the initial principal office of the corporation in Massachusetts is:

Town Hall, Acton, Massachusetts 01720

b. The name, residence, and post office address of each of the initial directors and following officers of the corporation are as follows:

NAME	RESIDENCE	POST OFFICE ADDRESS
President: Steven R. Graham	47 Jackson Drive Acton, MA 01720	Same
Vice President: Roy C. Smith	28 Joseph Reed Lane Acton MA 01720	Same
Treasurer: Brian D. Lanigan	24 Conant Street Acton, MA 01720	Same
Clerk: Naomi E. Mc Manus	15 Deacon Hunt Drive Acton, MA 01720	Same

Directors: (or officers having the powers of directors)

See continuation sheet attached.

c. The date initially adopted on which the corporation's fiscal year ends is:

June 30

d. The date initially fixed in the by-laws for the annual meeting of members of the corporation is:

First Monday in October

e. The name and business address of the resident agent, if any, of the corporation is:

IN WITNESS WHEREOF, and under the penalties of perjury the INCORPORATOR(S) sign(s) these Articles of Organization this 13<sup>th</sup> day of August, 1987

I/We the below signed INCORPORATORS do hereby certify under the pains and penalties of perjury that I/We have not been convicted of any crimes relating to alcohol or gaming within the past ten years; I/We do hereby further certify that to the best of my/our knowledge the above named principal officers have not been similarly convicted. If so convicted, explain.

  
 Steven R. Graham

  
 Roy C. Smith

  
 Brian D. Lanigan

The signature of each incorporator which is not a natural person must be by an individual who shall show the capacity in which he acts and by signing shall represent under the penalties of perjury that he is duly authorized on its behalf to sign these Articles of Organization.

Continuation Sheet

Board for Acton Community  
Housing Corporation:

Elected to a Term of:

Jana Mullin  
74 Alcott Street  
Acton, Massachusetts

3 years

Barbara Yates  
12 Whittier Drive  
Acton, Massachusetts

2 years

Brian D. Lanigan  
24 Conant Street  
Acton, Massachusetts

2 years

Steven R. Graham  
47 Jackson Drive  
Acton, Massachusetts

3 years

Roy C. Smith  
28 Joseph Reed Lane  
Acton, Massachusetts

3 years

David Hartwell  
409 Main Street  
Acton, Massachusetts

2 years

Naomi E. McManus  
15 Deacon Hunt Drive  
Acton Massachusetts

2 years

Charles E. Kostro  
12 Lothrop Road  
Acton, Massachusetts

3 years

Ann Anderson  
27 Tuttle Drive  
Acton, Massachusetts

1 year

THE COMMONWEALTH OF MASSACHUSETTS

ARTICLES OF ORGANIZATION  
GENERAL LAWS, CHAPTER 180

I hereby certify that, upon an examination of the within-written articles of organization, duly submitted to me, it appears that the provisions of the General Laws relative to the organization of corporations have been complied with, and I hereby approve said articles; and the filing fee in the amount of \$30.00 having been paid, said articles are deemed to have been filed with me this *25th* day of *August* 19 *87*

Effective date



MICHAEL JOSEPH CONNOLLY

Secretary of State

TO BE FILLED IN BY CORPORATION  
PHOTO COPY OF ARTICLES OF ORGANIZATION TO BE SENT

TO:

..... *Steven R. Graham* .....  
..... Steven R. Graham, Esquire .....

..... SCHEIER, SCHEIER & GRAHAM, P.C. ....

..... 411 Massachusetts Avenue .. Acton .. Massachusetts 01720

Telephone *617-263-9562* .....

Filing Fee \$30.00

Copy Mailed

BYLAWS

OF

ACTON COMMUNITY HOUSING CORPORATION

ARTICLE 1

Name and Area

Section 1

The name of this organization shall be the Acton Community Housing Corporation, a private nonprofit organization established under Chapter 180 of the General Laws of Massachusetts, henceforth referred to as "the Corporation or Acton Community Housing Corporation."

Section 2

The Acton Community Housing Corporation Area is defined as follows: The Town of Acton.

Section 3

The place of business shall be the Town Hall, Acton, Massachusetts, 01720.

ARTICLE II

Membership

Membership of the Acton Community Housing Corporation shall be open to all persons who either reside in or are employed in Acton, are eighteen (18) years of age or older, and who have completed the Acton Community Housing Corporation membership application and filed it with the Acton Community Housing Corporation office.

ARTICLE III

Function and Purpose

Section 1

The function and purpose of the Acton Community Housing Corporation shall be as set forth in the Corporation's Articles of Organization.

ARTICLE IV

Board of Directors

Section 1

There shall be a Board of Directors consisting of a maximum of twelve (12) but not less than eight (8) members, which Board shall have the general authority to conduct the affairs of the Corporation, which shall always be consistent with the Corporation's educational and charitable purposes.

A. Appointment of an Executive Director, at its discretion, to administer the organization, direct its daily operation, and execute the policies of the Board. The Board shall determine the qualifications, duties, and compensation to the Executive Director. All other staff personnel shall be appointed by the Executive Director with the advice and consent of the Board.

B. Final absolute power of the Corporation, including the power to enter into agreements and contracts, purchase, lease and sell property, and the power to make loans or grants and purchase equity.

C. Determination, subject to applicable laws and regulations of the Federal and state governments, of major personnel, fiscal and program policy.

D. Final approval of all program proposals and budgets.

E. Enforcement of compliance with all applicable conditions or grants and contributions.

Section 2

Members of the Board:

A. The members of the Board shall be elected by the General Membership.

B. The Board may from time-to-time fill vacancies of elected members on the Board to serve until the next general elections to be eligible to vote.

C. The format of the initial election is as follows:

One-third (1/3) of the elected Board members will be elected to a three year term; one-third(1/3) will be elected to a two year term; and one-third(1/3) will be elected to a one year term. Subsequently, elections will be held annually for one-third of the elected members for a three year term.

D. For the purpose of all Board elections, the general membership shall have completed and filed a membership application at least four(4) weeks prior to the election to be eligible to vote.

### Section 3

At any meeting of the Board of Directors, a majority of the Directors currently serving on the Board of Directors shall constitute a quorum for the transaction of business at any meeting. There shall be no voting by proxy at any of the meetings held by the Corporation. The act of a majority of the Directors present at the time of the act shall be the act of the Board of Directors, except as otherwise noted in these Bylaws.

### Section 4

Election and appointment of Directors shall take place on the first Monday of April.

### Section 5

Absence from three(3) consecutive meetings of the Board of Directors without previous notification or a valid reason shall be considered a resignation. The Board of Directors shall be vested with the authority to remove any Officer or Director from office, for cause, upon one week's written notice of the purpose of the meeting, and providing a majority of the Directors are present, a vote of two-thirds(2/3) of those present and voting in favor of removal shall effectuate removal of such Officers or Directors.

### Section 6

The fiscal year of the Corporation shall extend from July 1st to the ensuing June 30th, except as the same may be otherwise determined by resolution of the Directors.

## ARTICLE V

### Officers

#### Section 1

The Officers of the Acton Community Housing Corporation shall be a President, Vice-President, Clerk, and Treasurer. No person may hold two (2) Officer positions simultaneously. All Officers shall be elected by the Board from among its members after nomination by the Nominating Committee.

#### Section 2

The duties of each Officer shall be:

A. The President, as Chief Officer and spokesperson for the Corporation, shall, in addition to fulfilling normal duties of the position, appoint such committees as may be needed. All such appointment shall be approved by a majority vote of the Board of Directors. In addition, the President shall sign, on behalf of the Corporation, all deeds, contracts, and other formal instruments.

B. The Vice President shall fulfill the responsibilities of the President during the President's absence or incapacitation, assist the President in discharging responsibilities as the President see fit, and fulfill any duties that may be determined by the Board of Directors.

C. The Clerk shall be responsible for the taking and safekeeping of the official minutes of the Corporation, its records, and any other responsibilities as may be required under the Statutes of the Commonwealth of Massachusetts. The Clerk of the Corporation shall be responsible for providing Minutes of the prior meeting and the Notice of Meeting at least five (5) days prior to any Directors' meeting.

D. The Treasurer of the Corporation shall have charge of all papers and records of the Corporation and shall have the responsibility for the funds of the Corporation and for keeping full and accurate accounts and records of all receipts and disbursements of the Corporation. All such papers, records, and accounts shall be kept at the principal place of business of the Corporation and be open to inspection by any director, at intervals of not more than twelve (12) months prior to the annual meeting. (No funds shall be expended by the Corporation except in furtherance of its educational and charitable purposes.)

### Section 3

The term of office for all Officers shall be one (1) year and Officers are eligible for reelection to successive terms. Officers shall be elected at the first meeting of the Board following the General Elections.

### Section 4

The Board of Directors may make interim appointments to fill Officer vacancies. These appointments will be effective until the first meeting of the Board following the General Elections.

### Section 5

The Corporation shall, to the extent legally permissible, indemnify each of its Directors and Officers, former Directors and former Officers, and may indemnify all employees or agents of the Corporation against all liabilities and expenses, including amounts paid in satisfaction of judgement, in compromise or as fines and penalties, and counsel fees, reasonably incurred by him/her in connection with the defense or disposition of any action, suit, or other proceeding, whether civil or criminal, in which he/she may be threatened, while in office, except with respect to any matter as to which he/she shall have been adjudicated in any proceeding not to have acted in good faith in the reasonable belief that his/her action was in the best interest of the Corporation; provided, however, that as to any matter disposed of by a compromise payment such Director, Officer, employee, or agent, pursuant to a consent decree or otherwise, no indemnification either for said payment or for any other expenses shall be provided unless such compromise shall be approved as in the best interest of the Corporation, after notice that it involves such indemnification, if a majority of the Directors then in office are disinterested, by two-third(2/3) of the disinterested Directors then in office. The right of indemnification hereby provided shall not be exclusive of or affect any other rights to which any Director, Officer, employee, or agency may be entitled. As used in this paragraph, the terms "Directors", "Officers", "employee", and "agent" include their respective heirs, executors, and administrators, and an "interested" Director or Officer is one against whom in such capacity the proceedings in question or another proceeding on the same or similar grounds is then pending.

Section 6

All committees, with the exception of the Executive Committee, shall be composed of members of the Board or from the general membership, and shall report to the Board of Directors for the action on their reports. The reports of all committees shall be read into the minutes of the meeting at which they are presented.

ARTICLE VI

Executive Committee

Section 1

The Executive Committee shall consist of the President, and Treasurer and three(3) other Board members at large elected by the Board.

Section 2

The Executive Committee shall be empowered to act on behalf of the Board of Directors between meetings. Any action taken by the Executive Committee shall be subject to ratification by the Board at its next meeting (and shall always be consistent with the Corporation's educational and charitable purposes.)

Section 3

The Executive Committee shall hold meetings as required at the call of any one or more of its members.

Section 4

A quorum of the Executive Committee shall be four(4).

ARTICLE VII

Nominating Committee

Section 1

A nominating committee of five(5) shall be appointed by the Executive Committee of the Board of Directors of the Corporation. The nominating committee shall consist of members of the Corporation.

## Section 2

The duties of the nominating committee are:

A. To nominate persons as members of the Board of Directors for regular and vacant terms under Article IV, Section 2. Notice of the slate of candidates shall be posted in accordance with the notice provisions set forth in Article VIII, Section 1 hereof and notice mailed to each member, except that such notice shall be posted and mailed at least twenty (20) days prior to the meeting set for the Election of Directors.

B. To nominate persons as Officers: A slate of candidates for each office shall be drawn up by this committee and sent to each member of the Board at least ten(10) days prior to the election meeting. Nominations will be accepted from the floor and write-in candidate will be accepted.

C. To nominate the three(3) members at large of the Executive Committee, and provisions shall be made for individuals to nominate themselves.

## Section 3

A quorum for meetings of the nominating committee shall be three(3).

## Section 4

Other committees. The Board of Directors may, by vote of a majority of the directors then in office, appoint one or more committees of one or more persons and delegate to such committees some or all of their powers to the extent permitted by law, the Article of Organization, or these Bylaws. Any committee to which the powers of the Board of Directors are delegated shall consist solely of Directors. Except as the Board of Directors may otherwise determine, any such committee shall be governed in the conduct of the business of the Board of Directors contained in these Bylaws and may, by majority vote of the entire committee, make other rules for the conduct of its business. The Board of Directors shall have power at any time to fill vacancies in any such committees, to change its membership, or to discharge the committee.

## ARTICLE VIII

### Amendments

## Section 1

These Bylaws may be amended by a two-third(2/3) vote of the Board of Directors at any meeting of the Board of Directors of the Acton

Community Housing Corporation. A copy of the proposed amendment shall be furnished to each Director at least seven(7) days prior to such meetings. Amendments to the Bylaws shall be sent to the members with the next notice of any meetings of the members.

## ARTICLE IX

### Specific Operating Procedures

#### Section 1

All meetings of the Acton Community Housing Corporation shall be posted in accordance with Chapter 303, Acts of 1975, Open Meeting Law, and the Board of Directors shall be notified at least five(5) days in advance.

#### Section 2

There shall be an Annual Meeting of the general membership to be held on the first Monday in October for the purpose of the annual reports and other appropriate business. Furthermore, a general meeting may be called at any time by the Board of Directors.

#### Section 3

All meetings shall be open to the public and held in a public place. Records and minutes of said meetings shall be available for public inspection at all times in the Acton Community Housing Corporation's normal place of business, at least five(5) day prior to the meeting. A quorum for meetings of the members shall be a majority of those members present at such meeting.

#### Section 4

The Board of Directors shall meet at least eight (8) times per year. Duration between meetings shall not exceed forty-five(45) days.

#### Section 5

No Officer or Director shall receive any compensation or remuneration from the Corporation, provided, however, the Board of Directors may see fit to reimburse its Directors and Officers for any reasonable and necessary expense incurred. Members of the board of Directors are prohibited from accepting gifts, monies, or gratuities from the following:

- A. from persons receiving benefits or services under any program financed by local, state, or Federal funds;
- B. from any person or agency performing services under contract;

C. from persons who are otherwise in a position to benefit from the actions of a Board member.

## ARTICLE X

### Conflict of Interest

#### Section 1

Conflict of Interest. No contract or other transaction of the Corporation shall, in the absence of fraud, be affected or invalidated by the fact that any member or Officer of the Corporation or any corporation, firm or association of which he may be a Director, Officer, stockholder, or member may be a party to or may have an interest, pecuniary or otherwise, in any such contract or other transaction, provided that the nature and extent of his interest was disclosed to, or known by, the entire Board of Directors before acting on such contract or other transactions between the Corporation and any other corporation controlling, controlled by, or under common control with Officer, stockholder, or member of any corporation, firm or association with which the Corporation proposes to contract or transact any business, or other transaction, may not be counted in determining the existence of a quorum at any meeting of the Board of Directors which shall authorize any such contract or such transaction, and such Director shall not participate in the vote to authorize any such contract or transaction.

## ARTICLE XI

### Liquidation of the Corporation

If, in the opinion of two-thirds(2/3) of the Board of Directors, it becomes necessary or desirable to dissolve this Corporation, the assets of the Corporation shall be applied and distributed as follows:

A. All Liabilities and obligations of the Corporation shall be paid, satisfied, and discharged, or adequate provision shall be made therefor.

B. Assets held by the Corporation under conditions requiring return, transfer, or conveyance, which condition occurs by reason of the dissolution shall be returned, transferred, or conveyed in accordance with such requirements.

C. All other assets shall be transferred to corporations, persons, groups, or organizations engaged in activities which substantially carry out the purposes of the Acton Community Housing Corporation, as then stated in its Charter and Bylaws (and which are exempt from taxation under Section 501 (c)(3) of the Internal Revenue Code of 1954, or successor provisions thereto).

INTERNAL REVENUE SERVICE  
DISTRICT DIRECTOR  
G.P.O. BOX 1680  
BROOKLYN, NY 11202

DEPARTMENT OF THE TREASURY

11011054

Date: **DEC 11 1980**

Employer Identification Number:  
04-2983096

Contact Person:  
KEVIN T WILLIAMS

ACTON COMMUNITY HOUSING CORPORATION  
BOX 681  
ACTON, MA 01720

Contact Telephone Number:  
(713) 780-4535

Accounting Period Ending:  
June 30

Form 990 Required:

Yes

Addendum Applies:

Yes

Dear Applicant:

Based on information supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from Federal income tax under Section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3).

We have further determined that you are not a private foundation within the meaning of section 509(a) of the Code, because you are an organization described in section 509(a)(2).

If your sources of support, or your purposes, character, or method of operation change, please let us know so we can consider the effect of the change on your exempt status and foundation status. In the case of an amendment to your organizational document or bylaws, please send us a copy of the amended document or bylaws. Also, you should inform us of all changes in your name or address.

As of January 1, 1984, you are liable for taxes under the Federal Insurance Contributions Act (social security taxes) on remuneration of \$100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Since you are not a private foundation, you are not subject to the excise taxes under Chapter 42 of the Code. However, you are not automatically exempt from other Federal excise taxes. If you have any questions about excise, employment, or other Federal taxes, please let us know.

Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a)(2) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the part of the organization that resulted in your loss of such status, or if he or she acquired knowledge that the Internal Revenue Service had given notice that you would no longer be classified as a section 509(a)(2) organization.

Letter 947(DO/C6)

ACTON COMMUNITY HOUSING CORPORATION

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of Code sections 2055, 2106, and 2522.

Contribution deductions are allowable to donors only to the extent that their contributions are gifts, with no consideration received. Ticket purchases and similar payments in conjunction with fundraising events may not necessarily qualify as deductible contributions, depending on the circumstances. See Revenue Ruling 67-246, published in Cumulative Bulletin 1967-2, on page 104, which sets forth guidelines regarding the deductibility, as charitable contributions, of payments made by taxpayers for admission to or other participation in fundraising activities for charity.

In the heading of this letter we have indicated whether you must file Form 990, Return of Organization Exempt From Income Tax. If Yes is indicated, you are required to file Form 990 only if your gross receipts each year are normally more than \$25,000. However, if you receive a Form 990 package in the mail, please file the return even if you do not exceed the gross receipts test. If you are not required to file, simply attach the label provided, check the box in the heading to indicate that your annual gross receipts are normally \$25,000 or less, and sign the return.

If a return is required, it must be filed by the 15th day of the fifth month after the end of your annual accounting period. A penalty of \$10 a day is charged when a return is filed late, unless there is reasonable cause for the delay. However, the maximum penalty charged cannot exceed \$5,000 or 5 percent of your gross receipts for the year, whichever is less. This penalty may also be charged if a return is not complete, so please be sure your return is complete before you file it.

You are not required to file Federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T, Exempt Organization Business Income Tax Return. In this letter we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

You need an employer identification number even if you have no employees. If an employer identification number was not entered on your application, a number will be assigned to you and you will be advised of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

In accordance with section 508(a) of the Code, the effective date of this determination letter is August 25, 1967.

This determination is based on evidence that your funds are dedicated to the purposes listed in section 501(c)(3) of the Code. To assure your

ACTION COMMUNITY HOUSING CORPORATION

continued exemption, you should maintain records to show that funds are expended only for those purposes. If you distribute funds to other organizations, your records should show whether they are exempt under section 501(c)(3). In cases where the recipient organization is not exempt under section 501(c)(3), there should be evidence that the funds will remain dedicated to the required purposes and that they will be used for those purposes by the recipient.

If distributions are made to individuals, case histories regarding the recipients should be kept showing names, addresses, purposes of awards, manner of selection, relationship (if any) to members, officers, trustees or donors of funds to you, so that any and all distributions made to individuals can be substantiated upon request by the Internal Revenue Service. (Revenue Ruling 56-304, I.B. 1956-2, page 306.)

Evidence submitted with your application indicates that you may engage in lobbying activities. Section 501(c)(3) of the Code specifically prohibits lobbying as a substantial part of your activities. If you do not wish to be subject to the test of substantiality under section 501(c)(3), you may elect to be covered under the provisions of 501(h) of the Code by filing Form 5768, Election/Revocation of Election by an Eligible Section 501(c)(3) Organization to Make Expenditures to Influence Legislation. This section establishes ceiling amounts for lobbying expenditures.

If we have indicated in the heading of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

Because this letter could help resolve any questions about your exempt status and foundation status, you should keep it in your permanent records.

We have sent a copy of this letter to your representative as indicated in your power of attorney.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,



Eugene D. Alexander  
District Director

Addendum

ACTON COMMUNITY HOUSING CORPORATION  
MISSION STATEMENT

Background

The ACHC was incorporated by the Board of Selectmen as a direct result of the formation of the Housing Task Force to study the need for affordable housing and to recommend procedures for the implementation of the Town's Affordable Housing policy. The general affordable housing objectives of the ACHC have the approval of the Board of Selectmen, Town Manager, Zoning Board of Appeals, Planning Board, Conservation Commission, and other applicable Town Boards, Committees, and Agencies.

Responsibilities

The Board of Selectmen and the Town Manager, with the concurrence of the aforementioned Boards, Commissions, and Agencies have delegated certain defined responsibilities and functions to the ACHC. These include, but are not necessarily limited to, the following.

The ACHC will act as the Town's initial contact with developers of proposed affordable residential housing projects which are site-specific and for which the developer has indicated an intention to request an increase in allowed density or other variances in return for said provision of affordable housing. In this context, the ACHC will serve as a preliminary negotiating agency.

The ACHC may also initiate action intended to create affordable residential housing projects. In this context the ACHC will work to create a specific project consistent with Town policy.

Procedures

In fulfillment of this mission the Acton Community Housing Corporation will follow the course as outlined below.

The ACHC will forward its project specific preliminary recommendations and conclusions to each of the above mentioned Boards, Commissions and Agencies with a request for comments from each.

Comments will be reviewed with ACHC's Consultant, Project Proposers and the Authors of the comments. Following the review process by a majority vote of its Board of Directors, the ACHC will issue project specific recommendations which will be distributed to the Board of Selectmen and other appropriate designated town agencies.



ACTON HOUSING AUTHORITY

Windsor Avenue  
P.O. Box 681  
Acton, Massachusetts 01720  
617/263-5339

December 7, 1987

Mr. Peter Lowett  
Acting Town Planner  
14 Forest Road  
Acton, MA 01720

Dear Peter:

Enclosed please find a memo sent by David Hartwell, a member of the CDC, outlining the procedure to be followed on grant monies awarded under the Municipal Advance Program. Once you have had an opportunity to review the material please contact me to discuss the proposed process.

Sincerely,

Naomi E. McManus  
Executive Director

NEM/gkh

enc

EQUAL HOUSING OPPORTUNITY

To: Betty McManus  
From: David W. Hartwell  
Date: December 4, 1987  
Reference: Municipal Advance Program  
Town of Acton Grant #002-1583-01

This will confirm that I have contacted Steve Merriam of EOC'D's Municipal Advance Program relative to the procedure we should follow in requesting proposals. In response to my questions, he advised as follows.

1. Since the contractual services will not exceed \$5,000, the Request for Proposals (RFP) does not have to be published.

2. A copy of the RFP should be forwarded to him for his records but does not have to be pre-approved.

3. We should keep accurate records of the consultant selection process. In this context, I am enclosing two (2) forms which I believe will meet the requirements.

As mentioned, I have drafted an RFP for submission to the ACHC Board of Directors at our next meeting on Wednesday, December 9, 1987.



---

David W. Hartwell

enclosures--

DWH/skb





## Employment Opportunities

continued from page 6

providing technical advice for department-specific PC system development projects; providing hardware and software planning and evaluation; preparing a performance-based RFP and implementing a new system; directing inhouse training. Qualifications include 3-5 years related experience, preferably including systems development and implementation, project management and supervision of analysts and programmers. Salary range: \$28,000-\$32,000. Interested persons should send cover letter and resume to Personnel Department, Town of Watertown, 149 Main Street, Watertown, Massachusetts 02172.

**Public Works Director—Town of Acton**  
Acton, Massachusetts (population 18,500). Seeking a registered professional engineer to direct the public works department. Director performs complex professional, administrative, and supervisory duties (two department divisions, 25 personnel), including department fiscal management, general public works policy analysis, and contract administration. Reports to town manager. Requirements: excellent verbal and written communication analytical skills, ability to work with elected and appointed officials; BA civil engineering, Massachusetts PE registration. Salary mid-forties. Submit resumes to town manager by December 11, 1987. Town of Acton, 472 Main Street, Acton, Massachusetts 01720.

**Community Housing Administrator—Town of Acton**  
Part-time position to assist a community development corporation (CDC). Flexible hours. Reports to the CDC Board of Directors. Applicants should have an in-depth knowledge of development-related affordable housing and planning and the ability to successfully coordinate with various municipi-

pal and state boards, departments, and agencies. Knowledge of the Acton area and fund raising preferred. Salary to be negotiated. Resumes and letters of interest to: Acton Community Housing Corporation, Box 681, Acton, Massachusetts 01720.

### **Administrative Assistant—Western Massachusetts**

Towns of Becket, Massachusetts and Hinsdale, Massachusetts (combined population 3,100) seek applicant for the position of administrative assistant. Applicant should have a degree in public administration, urban affairs, planning, or related field, and knowledge of municipal governmental structure, systems, operations, and functions: 1-2 years of local government experience a plus. High degree of self-motivation and ability to work with minimal supervision essential. Duties include liaison to state and federal agencies, researching and preparing reports for the selectmen on particular issues, grant preparation and administration. Salary range \$20,000 to \$30,000. Submit resume with handwritten cover letter to: Search Committee, c/o Board of Selectmen, Town Hall, Becket, Massachusetts, 01223 by January 1, 1988.

### **Assistant Town Engineer—Town of Rockport**

The Town of Rockport is accepting applications for the newly created professional position for an individual to assist the town engineer in providing engineering support services. At present the engineering division is involved in all departmental construction, maintenance and operational programs with a major emphasis on water distribution, wastewater collection, storm drainage, and highway construction. The staff provides engineering support services to all town departments, boards, and committees. An excellent opportunity for a graduate civil engineer to work in a broad spectrum of public services. Present salary range, \$24,000-29,000. Inter-

ested applicants should have a degree in civil engineering, and an EIT certificate with some experience preferred. Send resumes and salary requirements to Donald Atkinson, Director of Public Works, Town Office Building, 34 Broadway, Rockport, Massachusetts 01966, by December 18, 1987. An equal opportunity employer.

### **Assistant Executive Secretary—Town of Wayland**

Town of Wayland (population 12,200, annual budget \$18 million) is seeking applications for the position of assistant executive secretary. Responsible for the administration of the town's personnel system, and is liaison to the personnel board which conducts the town's collective bargaining. Performs various administrative matters as assigned by the executive secretary, including coordination of the town's grant applications and preparation of the warrants for town meeting. Acts as affirmative action officer and employee benefits manager. Acts as executive secretary in the executive secretary's absence. Qualified individuals must have three to five years experience with an MPA. Salary up to \$42,000, depending on experience. Send resume by Wednesday, December 30, 1987, at 4:30 p.m., to Edward N. Perry, Executive Secretary, 41 Cochituate Road, Wayland, Massachusetts 01778. Wayland is an EEO AA F M H V Employer.

### **Executive Administrator—Town of Deerfield**

The Town of Deerfield is accepting applications for the position of executive administrator to the Board of Selectmen. Applicants must have a knowledge of municipal administration; excellent communication skills; an ability to establish and maintain effective working relationships; and supervisory experience and personnel management. The successful applicant will be required to analyze problems, apply sound judgment, and identify and pursue incomes which may be available from federal and state sources. A bachelor's degree in public administration is desirable or at least three years management experience in local government is highly desirable. Please submit resume of training experience and salary requirement to the Board of Selectmen, Town Office Building, South Deerfield, Massachusetts 01373. The Town of Deerfield is an EEO AA.

### **Shared Administrative Assistant—Town of Chester**

Towns of Chester and Huntington (combined population 3,000) seek applicants for the position of shared administrative assistant. Qualifications sought: experience with community development projects and grant administration, bachelor's degree in public administration, planning, or related field and 1-2 years' experience in local government. Duties include grant preparation and administration, municipal, and budget research, and report preparation and liaison with government agencies. High degree of motivation and ability to work with minimal supervision essential. Salary range: \$20,000-25,000. For more information: 413-667-3324. Send resume to K. Morrison, Town Hall, Box 430, Huntington, Massachusetts 01461.

continued on page 16

## 1987 MIA Annual Safety Award Winners

One of the highlights of MIA's fifth Annual Meeting on November 6 was the presentation of awards to members with outstanding safety records or exceptional loss-control programs. Nine communities received certificates for having no workers compensation injuries resulting in lost work-time since the inception of the program:

Alford	Colrain	Leyden
Chester	Gay Head	Savoy
Chilmark	Heath	Worthington

Three communities earned awards for best overall achievement in their respective size categories:

North Adams (more than 300 full-time-equivalent employees)

Northborough (from 60 to 299)

Boylston (less than 60)

Special prizes for leadership efforts in promoting safety were presented to the Hudson Housing Authority and the Town of Wayland.

In the Property and Liability Program, two towns won kudos for their excellent safety initiatives:

Shelburne (communities with less than 7,500 people)

Winchendon (communities with 7,500 people or more).

—Beth Sutherland

REQUEST FOR PROPOSALS  
MASSACHUSETTS MUNICIPAL ADVANCE PROGRAM  
FOR  
THE TOWN OF ACTON, MASSACHUSETTS,  
THE ACTON COMMUNITY HOUSING CORPORATION

The Town of Acton, the Acton Community Housing Corporation, is seeking proposals from qualified professional affordable housing consulting firms to provide services in connection with the Town's Municipal Advance Program.

SCOPE OF SERVICES

The scope of services will include performing the following site-specific tasks.

1. A pro forma analysis to determine if affordability of units is consistent with project costs.
2. A review of the project proposal with respect to the following:
  - A. Access
  - B. Unit siting
  - C. Other environmental or engineering issues of concern.
3. Technical assistance to relevant town boards or individuals concerning results of the analyses performed in accordance with this advance.

PROPOSAL REQUIREMENTS

1. Please submit an original and three (3) copies of your proposal.
2. Include a description of the professional background and cost per hour of all staff that will be associated with the project.
3. Outline your approach to the project.
4. Provide examples of previous experiences with similar projects.
5. Describe billing requirements.
6. Include a timetable for completion of the study.

All proposals must be received no later than 4:00 p.m., Friday, January 8, 1988.

Proposals should be forwarded to:

Acton Community Housing Corporation  
P.O. Box 681  
Acton, Massachusetts 01720

TOWN OF ACTON  
ACTON COMMUNITY HOUSING CORPORATION

Project: Municipal Advance Program  
Grant #002-1583-01

SUMMARY OF RFP's MAILED

Date Mailed: Friday, December 11, 1987

<u>Firm</u>	<u>Address</u>
Mailed to: Emily Achtenberg	47 Halifax Street, Jamaica Plain, MA 02130
Lozano White & Associates	36 Brattle Street, Cambridge, MA 02138
Phil Herr & Associates	261 Newbury Street, Boston, MA 02116
Thomas Planning Services	120 Tremont Street, Boston, MA 02108
Stockard & Engler	10 Concord Avenue, Cambridge, MA 02138
Bob Yaro Center for Rural Mass., Hills North, University of Massachusetts Amherst, MA 01003	
Sam Seskin Center for Economic Development, Hampshire House, Room 203, University of Massachusetts, Amherst, MA 01003	
Barbara Thornton, Bennett & Shaw Assoc., Suite 5L, 132 Lincoln Street, Boston, MA 02111	
Jean Van Orman, P.O. Box 45, Easton, MA 02334	

TOWN OF ACTON  
ACTON COMMUNITY HOUSING CORPORATION

Project: Municipal Advance Program  
Grant #002-1583-01

SUMMARY OF RFP'S MAILED

Date Mailed: Friday, December 11, 1987

<u>Firm</u>	<u>Address</u>
Mailed to: <u>Elizabeth K. Levin, Rizzo Associates, Inc., 235 W. Central Street,</u>	<u>Natick</u>
<u>Richard F. Galehouse, Sasaki Associates, Inc., 64 Pleasant Street,</u>	<u>MA 01760</u>
<u>Watertown, MA 02172</u>	
<u>Karen Alschuler, Skidmore, Owings &amp; Merrill, 334 Boylston Street, Boston, M</u>	<u>02116</u>
<u>Richard Tilles, Tams/Tippetts-Abbett-McCarthy-Stratton,</u>	
<u>38 Chauncy Street, Boston, MA 02111</u>	
<u>Carol J. Thomas, Thomas Planning Services, Inc., 120 Tremont Street, Bosto</u>	<u>MA 02108</u>
<u>Gordon L. Brigham, Wallace, Floyd, Associates, Inc., 286 Congress</u>	
<u>Street, Russia wharf, Boston, MA 02210</u>	
<u>Henry Joseph and Associates, 10 Concord Avenue, Cambridge, MA 02138</u>	
<u>Jon Witten, IEP, Inc., P.O. Box 780, Northboro, MA 02173</u>	

TOWN OF ACTON  
ACTON COMMUNITY HOUSING CORPORATION

Project: Municipal Advance Program  
Grant #002-1583-01

SUMMARY OF RFP's MAILED

Date Mailed: Friday, December 11, 1987

<u>Firm</u>	<u>Address</u>
Mailed to: <u>McGregor, Shea &amp; Doliner, 27 School Street, Boston, MA</u>	02108
<u>Philip Mayfield, OKM Associates, Inc., 148 State Street, Boston, MA</u>	02109
<u>James Wallace, ABT Associates Inc., 55 Wheeler Street, Cambridge, MA</u>	02139
<u>Robert F. Daylor, The BSC Group, 450 Summer Street, Boston, MA</u>	02210
<u>John E. Kissida, Philip C. Kennedy, Camp Dresser &amp; McKee, Inc.,</u> <u>One Center Plaza, Boston, MA</u>	02108
<u>Gary Hack, Carr, Lynch Associates, 1385 Cambridge Street, Cambridge, MA</u>	02139
<u>Burk Ketcham, Jason M. Cortell and Associates, Inc., 244 Second</u> <u>Avenue, Waltham, MA</u>	02154
<u>Philip Henderson, Henderson Group, 313 Congress Street, Boston, MA</u>	02210
<u>Richard L. Ball, Metcalf &amp; Eddy, Inc., 10 Harvard Mill Sq., Wakefield, MA</u>	01880
<u>Thomas E. Nutt-Powell, On-Site Insight, 20 Vernon Street, Norwood, MA</u>	02062

**OKM** OKM Associates, Inc.  
154 Canal Street, Boston, MA 02114 (617) 742-8616

January 28, 1988

Mr. David Hartwell  
Acton Community Housing Corporation  
P.O. Box 681  
Acton, MA 01720

Dear Mr. Hartwell:

This letter outlines our agreement for services provided by OKM Associates to the Acton Community Housing Corporation. This will serve as a formal agreement until we negotiate and execute a contract.

OKM Associates has agreed to undertake the following tasks for the Acton CHC:

1. Revise and make recommendations to the a "List of Information to be Supplied by Developers" to the Acton CHC.
2. Research possible funding sources the CHC can tap to retain additional consulting services and hire staff.
3. Conduct a Comprehensive Permit Workshop for Acton's Boards and other interested citizens.
4. Additional tasks as requested by the CHC.

The Acton CHC has agreed to retain OKM at the following hourly rates:

Partner, Monte Franke	\$75/hour
Senior Analyst, Cynthia Lacasse	\$40/hour

OKM will notify the CHC chairperson, David Hartwell, on a bi-weekly basis of hours spent to date on each task. This notification will be both verbal and in writing.

OKM will invoice the CHC at the beginning of each month for services rendered the previous month.

Sincerely,



Cynthia Lacasse  
Senior Analyst

ACTON COMMUNITY HOUSING CORPORATION

P.O. Box 681

Acton, Massachusetts 01720

January 26, 1988

Mr. Peter W. Smith  
The Cottonwood Company  
98 Seaverns Avenue  
Jamaica Plain, MA 02130

Dear Mr. Smith:

This letter will confirm the intent of the Town of Acton/The Acton Community Housing Corporation to award a site-specific contract for professional services generally as described in your proposal received on or about January 12, 1988.

The cost of your services, not to exceed Five Thousand Dollars (\$5,000.00), is being funded by a Municipal Advance Program (MAP) Grant awarded by the Executive Office of Communities and Development through the Massachusetts Housing Partnership. An EOCD/MAP contractual agreement will be executed in the near future.

Pursuant to yesterday's conversation, please begin your analysis of the Quarry Road developer-submitted project information as soon as you receive it and plan to make a presentation to the Board of Directors of the Acton Community Housing Corporation on Wednesday, February 3, 1988 at approximately 7:45 a.m.

Sincerely,

Acton Community Housing Corporation



David W. Hartwell  
President

cc: ACHC File

DWH/skb

ACTON COMMUNITY HOUSING CORPORATION

P.O. Box 681

Acton, Massachusetts 01720

January 26, 1988

Ms. Cynthia Lacasse  
OKM Associates, Inc.  
164 Canal Street  
Boston, MA 02114

Dear Ms. Lacasse:

This letter will confirm the intent of the Acton Community Housing Corporation (ACHC) to award a contract for professional services somewhat generally as described in each of your two (2) proposals but, as mutually agreed, the task specifics of which will be further discussed and mutually agreed upon.

As discussed yesterday with you and Monte Frank, it is understood that OKM will immediately review and refine the "developer information" package that you have received and transmit same to me prior to the next meeting of the ACHC Board of Directors on February 3, 1988; that you will investigate, recommend, and report on various grant program funding sources; and that you are aware of the near term need for a Chapter 774 workshop.

Sincerely,

ACTON COMMUNITY HOUSING CORPORATION



---

David W. Hartwell  
President

cc: ACHC File

DWH/skb

ACTON COMMUNITY HOUSING CORPORATION

To: Betty McManus, Clerk/Secretary  
From: David W. Hartwell, President  
Date: January 26, 1988  
Reference: Consultant Contract Awards

For the record, the following summarizes the procedures utilized in the selection of each to two (2) consultants.

Three (3) proposals for professional services were received from the RFP mailings of which you have a record. As authorized by the Board on January 20, 1988 a committee interviewed representatives of The Cottonwood Company and OKM Associates, Inc. at the offices of the Acton Housing Authority between the hours of 3:30 and 6:00 p.m. on Wednesday, January 20, 1988 (it was agreed that the proposal received from On-Site/In-Site, although deemed to be responsible, was more relevant to a site that might be acquired by the ACHC at some time in the future).

The ACHC interview committee included yourself, Jana Mullin, Sandy Bayne, and the writer. At the conclusion of the interviews, the interview committee concurred that both Cottonwood and OKM appeared well qualified to perform the requested services. It was also agreed that the ACHC had an immediate need for the services of each. OKM agreed to revise their proposal predicated on questions and on discussions that ensued during their interview. I received this revision on Thursday, January 21st and transmitted copies to you the same date. The interview committee agreed that further discussion would occur over the week-end.

On Sunday, January 24, 1988, as a result of the writer's telephone conversations with yourself, Jana, Roy Smith, and Sandy, and with your indication of the concurrence of Kevin McManus, it was agreed that the contract for the site-specific Quarry Road project would be awarded to Cottonwood and that a separate contract would be awarded to OKM. (It should be noted that the concurrence of the above referenced six board members on January 24th constituted a majority of the current Board). It was further agreed on January 24th that I would immediately contact both Cottonwood and OKM and prepare letters of intent. Copies of the letters of intent are enclosed with this communication.

On January 20th, each of the four above referenced members of the interview committee had agreed that currently available ACHC funds should be utilized to fund the services of one of the two consultants referenced above. The services of the other consultant would be funded by the EOCB MAP Grant received by the Town.

Consultant Contract Awards

As also agreed by the above referenced six (6) Board Members on January 24th, that MAP Grant funds will be used for Cottonwood's Quarry Road site specific services and ACHC funds for OKM's policy, administrative, and generalized scope of services.

A handwritten signature in black ink, appearing to read "David W. Hartwell", written over a horizontal line.

David W. Hartwell

enclosures (2)--

DWH/skb

**OKM** OKM Associates, Inc.  
164 Canal Street, Boston, MA 02114 (617) 742-8616

January 28, 1988

Mr. David Hartwell  
Acton Community Housing Corporation  
P.O. Box 681  
Acton, MA 01720

Dear Mr. Hartwell:

This letter outlines our agreement for services provided by OKM Associates to the Acton Community Housing Corporation. This will serve as a formal agreement until we negotiate and execute a contract.

OKM Associates has agreed to undertake the following tasks for the Acton CHC:

1. Revise and make recommendations to the a "List of Information to be Supplied by Developers" to the Acton CHC.
2. Research possible funding sources the CHC can tap to retain additional consulting services and hire staff.
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4. Additional tasks as requested by the CHC.

The Acton CHC has agreed to retain OKM at the following hourly rates:

Partner, Monte Franke	\$75/hour
Senior Analyst, Cynthia Lacasse	\$40/hour

OKM will notify the CHC chairperson, David Hartwell, on a bi-weekly basis of hours spent to date on each task. This notification will be both verbal and in writing.

OKM will invoice the CHC at the beginning of each month for services rendered the previous month.

Sincerely,



Cynthia Lacasse  
Senior Analyst

**OKM** OKM Associates, Inc  
164 Canal Street, Boston, MA 02114 (617) 742-8616

February 5, 1988

Mr. David Hartwell  
Acton Community Housing Corporation  
P.O. Box 681  
Acton, MA 01720

RE: OKM Consulting Services to the Acton CHC

Dear Mr. Hartwell:

As we agreed, OKM will report to you on a bi-weekly basis hours spent to date on the Tasks outlined in our agreement letter dated January 28, 1988 as well as additional requested tasks.

Time Period: January 23, 1988 to February 5, 1988

Time Spent:	Cynthia Lacasse	Monte Franke
	14 hours	2 hours
	\$150	\$560

Total to Date: \$710

Sincerely,

  
Cynthia Lacasse  
Senior Analyst

February 5, 1988

Mr. David Hartwell  
Acton Community Housing Corporation  
P.O. Box 681  
Acton, MA 01720

RE: Options for structuring a Developer's Fee to be paid to the  
Acton Community Housing Corporation (CHC)

Dear David:

You requested that Monte and I outline options for structuring a fee to be paid by developer's submitting affordable housing development proposals to the Acton CHC. The CHC has expressed interest in requiring developers to pay a fee that would fund part of the CHC's expenses. We recommend that the CHC implement a two-stage fee structure, consistent with new HOP funding guidelines and our proposed two-stage project review process.

### Stage 1

Each developer would be required to pay a small (perhaps \$500) application fee when submitting a proposal to the CHC. This fee would offset some of the costs incurred by the CHC in reviewing the proposal and entering into negotiations with the developer.

We recommend that you not request a large fee from each developer submitting a proposal to the CHC for two reasons:

1. If a developer is asked to submit a large amount of money up front, she may expect "special treatment." That is, she may expect that her proposal should and will be approved by the CHC.
2. Conversely, an up-front fee required with no guarantee that he will get any further might deter a developer from submitting a proposal to the town. We do not believe that this is the CHC's intent.

The CHC does not want developers to expect to receive automatic approval nor does it want to discourage responsible developers from submitting good affordable housing proposals to the town.

## Stage 2

If the CHC approves the development proposal, and the developer receives HOP or other funding approval as well as town approval (i.e. Comprehensive Permit) to go ahead with the project, the CHC should then request a larger fee from the developer. This fee can be structured several ways:

1. A flat fee (such as \$5000) to be paid by all developers regardless of development size or number of affordable units. We do not recommend this option. In this case, a developer building 15 units will be charged the same amount as one building 100 units. Consequently, by imposing a flat fee, the CHC may inadvertently be encouraging developers to come in with bigger developments than they would have otherwise.
2. A per unit fee (such as \$100/unit) based on number of units built. This would be a more equitable agreement because a developer with a larger project (and perhaps a larger profit) would pay a larger fee.
3. A per unit fee (such as \$135/market unit) that takes into account the number of affordable units built. In this scenario, developers pay a fee only on the market units built. In this way the CHC could reward a developer building a development with a higher percentage of affordable units by charging him or her less. This may provide an incentive for more affordable units. Consider the following example: a developer proposes a 60 unit development with 25% affordable units. According to the above formula, the developer would pay a fee of \$6075 to the CHC. If the developer chose to include 30% affordable units, he would pay \$5670. The CHC could play this out even further by stating that the fee would be waived for developments having over a certain percentage (for example, 50%) of affordable units.

Monte and I would be pleased to discuss one or more of these options further with you and/or the rest of the Board. Please call us if you have any questions.

Sincerely,



Cynthia Lacasse  
Senior Analyst

ACTON COMMUNITY HOUSING CORPORATION

To: Betty McManus  
From: David W. Hartwell  
Date: February 9, 1988  
Reference: New HOP Guidelines

Enclosed for informational purposes, and for you to have on hand for transmittals as required, are the new HOP guidelines dated January, 1988. Also enclosed is the new HOP application package.

  
\_\_\_\_\_

enclosures--

DWH/skb



OKM Associates, Inc.  
164 Canal Street, Boston, MA 02114 (617) 742-8616

January 28, 1988

Mr. David Hartwell  
Acton Community Housing Corporation  
P.O. Box 681  
Acton, MA 01720

Dear David:

We are excited about the opportunity to work with you and the other Board members of the Acton Community Housing Corporation.

Our first work task is to review the information you intend to request of developers who want to apply for HOP funding. Enclosed is a revised "Request for Developer Information", including the information the Acton CHC should request from developers interested in building affordable housing projects.

The recently announced HOP competitive process divides your review and approval process into two stages:

1. The first phase is a "Preliminary Affordability Review" that enables the CHC to add its comments and concerns to the initial HOP application. The scope of this review is not limited to affordability analysis, but it allows you to defer some of the other analyses to coincide with reviews by other Town boards under the second stage.
2. If HOP funding is granted, the developer then proceeds with final design and enters into full-scale negotiations with the Town as part of the Comprehensive Permit process. The developer's plans are likely to be modified or refined during this stage, so CHC needs to interact at this point with the various Town boards.

MHP is switching to this competitive process because of the high demand for HOP funds. It estimates that maybe as few as 1 in 4 applications in the March round will be funded. Therefore, it does not make sense to conduct a full-scale review for a project that is more likely to go unfunded. We suggest that you limit the scope of your initial review to the information essential to the HOP application, and that you reserve the right to resume your review and negotiations with the developer upon selection for funding. To this end, we have reorganized and reduced your initial list to conform to some parts of the HOP application.

We have tried to design the most efficient process for both ACHC and the developers. Because you indicated that the developers currently interested in talking with the CHC intend to submit HOP proposals, we have targeted the Developer Information package to this program. In the future, the CHC can adapt this model to any other development subsidy programs (SHARP, for example).

Both Monte and I will be out of the office on Friday. I will be in on Monday if you want to discuss any aspects of our recommendations. We also would like to reach agreement on the level of effort expected for our other tasks.

Sincerely,



Cynthia Lacasse  
Senior Analyst

ACTON COMMUNITY HOUSING CORPORATION  
P.O. Box 681  
Acton, Massachusetts 01720

**INFORMATION TO BE SUPPLIED BY DEVELOPERS  
FOR HOP AFFORDABLE HOUSING DEVELOPMENTS  
IN THE TOWN OF ACTON**

Dear Developer:

The Acton Community Housing Corporation (ACHC) has been directed by the Board of Selectmen to act as the Town's affordable housing negotiating agency. Its responsibilities include initial review of all proposed Chapter 774 Comprehensive Permit housing developments and/or proposed affordable/subsidized unit housing developments. The attached Mission Statement will provide additional background on ACHC.

With respect to any projects which the developer intends to submit for funding under this State's HOP Program, the approval process consists of two stages:

1. Preliminary review and negotiations which allow the developer to proceed with a proposal for HOP Funding; and
2. Final design review as a part of the Comprehensive Permit application process.

This two-stage approach is consistent with EOCD's new competitive process for awarding limited HOP resources.

In order to expedite the ACHC review of your development plans, please assemble and submit the following information to ACHC at the address in the letterhead:

1. **DESCRIPTION OF THE DEVELOPMENT TEAM:** Fill out the two-page section of the HOP application titled DEVELOPER INFORMATION, and attach the Developer's full resume including references for similar projects as being currently proposed.
2. **PROJECT INFORMATION:** Fill out the three-page section of the HOP application titled PROJECT INFORMATION.

3. SITE AND DESIGN INFORMATION: Fill out the two-page section of the HOP application titled SITE INFORMATION. [Please note that the last paragraph, Construction Financing, need not be completed]. In addition, please provide the following:
  - Site Map: A map of the site noting relationship to the immediate neighborhood;
  - Development Footprint: The location of proposed buildings on site and roads and parking areas;
  - Unit Plan: Preliminary schematic plan showing elevation of the buildings and interior layouts of units. Various unit types (e.g. public housing, HOP-assisted, MHFA-financed, market) should be separately identified and located within various buildings; and
  - Documentation that MHFA Site Approval Request has been Intiated.
4. DEVELOPMENT COST INFORMATION: Fill out the two-page section of the HOP application titled DEVELOPMENT COST (PRO FORMA) INFORMATION.
5. HOUSING MARKET INFORMATION: Include a copy of the market study conducted for this project.

You will note that we are requesting only information that will be required in the HOP application. Upon receipt of a completed package of information, we will review the materials and schedule a meeting with you to begin discussions.

Attached is a checklist that should be attached as a cover to your submission.

Sincerely,

HOP PROJECT DEVELOPER SUBMISSION COVER SHEET

DEVELOPER NAME: \_\_\_\_\_

PROJECT NAME: \_\_\_\_\_

LOCATION: \_\_\_\_\_

DATE: \_\_\_\_\_

CHECKLIST:

- \_\_\_ Relevant Sections of the HOP application
  - \_\_\_ Developer Information
  - \_\_\_ Project Information
  - \_\_\_ Site Information
  - \_\_\_ Developer Cost Information
- \_\_\_ Developer Resume
- \_\_\_ Site Map
- \_\_\_ Development Footprint (Site Plan)
- \_\_\_ Unit Plans (Schematic Drawings)
- \_\_\_ Request for MHFA Site Approval Documentation
- \_\_\_ Market Study

Submit to:

ACTON COMMUNITY HOUSING CORPORATION  
P.O. Box 681  
Acton, Massachusetts 01720

HOMEOWNERSHIP OPPORTUNITY PROGRAM

APPLICATION PACKAGE

One (1) original and five (5) copies of the attached HOP application and all required attachments must be submitted to:

Homeownership Opportunity Program  
Massachusetts Housing Partnership  
Executive Office of Communities and Development  
100 Cambridge Street, 14th Floor  
Boston, MA 02202

The deadline for applications for the Spring 1988 funding round is:

>>>> March 18, 1988, 5:00 p.m. <<<<<

Applications must be received at MHP's office no later than 5:00 p.m. Friday, March 18, 1988.

Applications selected for an initial commitment of HOP funding will be required to submit a Final Application to MHFA in order to obtain a commitment of mortgage financing. Refer to Appendix E of the HOP Guidelines for a listing of the materials that will be required at that time.

HOMEOWNERSHIP OPPORTUNITY PROGRAM - APPLICATION PACKAGE

GENERAL INFORMATION

Community: \_\_\_\_\_

Project Name: \_\_\_\_\_

Developer: \_\_\_\_\_

\_\_\_\_\_

Applicant Type (check appropriate line):

- Joint (Community/Developer) \_\_\_\_\_
- Community Supported \_\_\_\_\_
- Developer \_\_\_\_\_

(If "developer only" application, attach description of specific efforts by developer to secure local support. Include dates of any and all correspondence and/or meetings with local boards and officials relative to the proposed housing development and a summary of all development issues raised.)

Number of Units:

- Public Housing (705/689) \_\_\_\_\_
- HOP-Assisted \_\_\_\_\_
- MHFA-Financed \_\_\_\_\_
- Market \_\_\_\_\_

TOTAL: \_\_\_\_\_

Total Development Cost: • \$ \_\_\_\_\_

Project Description (Provide a brief description of the project in the space provided below):

DEVELOPER INFORMATION

Development Team Principals:

● Developer (Name) \_\_\_\_\_  
(Firm Name) \_\_\_\_\_  
(Tax ID No.) \_\_\_\_\_  
(Address) \_\_\_\_\_  
(City/Town) \_\_\_\_\_ (ZIP) \_\_\_\_\_  
(Telephone) \_\_\_\_\_

● Co-Developer (Name) \_\_\_\_\_  
(Firm Name) \_\_\_\_\_  
(Tax ID No.) \_\_\_\_\_  
(Address) \_\_\_\_\_  
(City/Town) \_\_\_\_\_ (ZIP) \_\_\_\_\_  
(Telephone) \_\_\_\_\_

● Architect/Engineer (Name) \_\_\_\_\_  
(Firm Name) \_\_\_\_\_  
(Address) \_\_\_\_\_  
(City/Town) \_\_\_\_\_ (ZIP) \_\_\_\_\_  
(Telephone) \_\_\_\_\_

● Attorney (Name) \_\_\_\_\_  
(Firm Name) \_\_\_\_\_  
(Address) \_\_\_\_\_  
(City/Town) \_\_\_\_\_ (ZIP) \_\_\_\_\_  
(Telephone) \_\_\_\_\_

● Contractor/Builder (Name) \_\_\_\_\_  
(Firm Name) \_\_\_\_\_  
(Tax ID No.) \_\_\_\_\_  
(Address) \_\_\_\_\_  
(City/Town) \_\_\_\_\_ (ZIP) \_\_\_\_\_  
(Telephone) \_\_\_\_\_

● Marketing Agent (Name) \_\_\_\_\_  
(Firm Name) \_\_\_\_\_  
(Address) \_\_\_\_\_  
(City/Town) \_\_\_\_\_ (ZIP) \_\_\_\_\_  
(Telephone) \_\_\_\_\_

Minority/Women-Owned Businesses: Is the majority (51%) of any of the following development team participants owned by minorities or women?

	<u>Minority-owned</u>	<u>Women-owned</u>
-Developer	_____	_____
-Co-Developer	_____	_____
-Contractor/Builder	_____	_____

Development Experience: Provide an overview of the housing development experience of the participating development team. Provide a summary of all developments completed during the past three years listing the project name, type of development, size, location, development costs, tenure (sales or rental), and any other relevant project information. Also list projects in which the development team is currently involved including the same information requested above and include information on estimated construction start and completion dates.

PROJECT INFORMATION

Development Type (check):

- Single Family (Detached) \_\_\_\_\_
- Single Family (Attached-Fee Simple) \_\_\_\_\_
- Condominiums \_\_\_\_\_
- Cooperatives \_\_\_\_\_
- Other \_\_\_\_\_

Project Style (check):

- Single Family Detached \_\_\_\_\_
- Townhouse \_\_\_\_\_
- Low Rise (less than 35 feet) \_\_\_\_\_
- Mid-Rise (35 - 70 feet) \_\_\_\_\_
- High-Rise (greater than 70 feet) \_\_\_\_\_

Construction Type (check appropriate line):

- Stick Built \_\_\_\_\_
- Modular/Manufactured \_\_\_\_\_

Name of Manufacturing Co. \_\_\_\_\_  
(Address) \_\_\_\_\_  
(City/Town) \_\_\_\_\_  
(Contact Person) \_\_\_\_\_ (PHONE) \_\_\_\_\_

Unit Composition: Breakdown development by number of units in each of the categories listed below. List exact square footage and sales prices for each type unit.

TYPE OF UNIT	# OF UNITS	# OF BEDROOMS	# OF BATHS	LIVABLE SQ. FOOTAGE	SALES PRICE
--------------	------------	---------------	------------	---------------------	-------------

-----  
PUBLIC HOUSING

HOP ASSISTED

MHFA FINANCED

MARKET UNITS

Unit Totals:

Total number of 2 Bedroom units: \_\_\_\_\_  
Total number of 3 Bedroom units: \_\_\_\_\_  
Total number of 4 Bedroom units: \_\_\_\_\_

Public Housing Units: Has the Local Housing Authority been contacted in reference to purchasing units within the development?

Yes \_\_\_\_\_ No \_\_\_\_\_

NOTE: If at least 5% of the units will not be made available to the local housing authority, attach an explanation.

Commercial Space: Will there be any commercial space developed as part of this project? Yes \_\_\_\_\_ No \_\_\_\_\_

- Number of Commercial Units: \_\_\_\_\_
- Total Square Footage Devoted to Commercial Use: \_\_\_\_\_
- Projected Rent Per Square Foot: \$ \_\_\_\_\_

If yes, what type of commercial use is proposed? (What type of business enterprise?)

Amenities: Will there be any special amenities that will be provided as part of this development [e.g., covered parking, pool, tennis courts]? If so, please describe:

Condominium Association Fees: Will condominium fees be charged for this development? If so, what are they projected to be, what will they pay for, and will there be any developer subsidization of costs during initial years?

- Fee: \$ \_\_\_\_\_ per month

Community Development Action Grant (CDAG):

- Will CDAG funds be sought for this development?

Yes \_\_\_\_\_ No \_\_\_\_\_

- If Yes, five copies of the CDAG application must be submitted with this HOP application.

- Amount of CDAG funds (to be) requested? \$ \_\_\_\_\_

- CDAG request per affordable unit? \$ \_\_\_\_\_

- Use of CDAG funds (check appropriate line)?

- Streets/Sidewalks \_\_\_\_\_
- Water/Sewer \_\_\_\_\_
- Drainage \_\_\_\_\_
- Other (specify) \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

Other Public Funds: List other public funds required for this development to proceed, the amount needed, funding source, and status of funds.

Development Schedule: List projected dates for each of the following stages of the development process (If project is a phased development and units will be constructed or completed at different times, please indicate):

	<u>Phase 1</u>	<u>Phase 2</u>	<u>Phase 3</u>
● Permits Granted	_____	_____	_____
● Construction Start	_____	_____	_____
● 50% Complete	_____	_____	_____
● Marketing Start	_____	_____	_____
● 100% Complete	_____	_____	_____
● Occupancy	_____	_____	_____

SITE INFORMATION

Site Description: Provide a brief description of the site; neighborhood location, size [if various sites will be used, identify each and note approximate size], special development constraints, etc.:

Size of site (in square feet or acres): \_\_\_\_\_  
Proposed density (# units per acre): \_\_\_\_\_

Current Site Control: Check appropriate line and include copies of executed sales or option agreements noting the actual cost of the land at the last arms-length transaction:

- Community-Owned \_\_\_\_\_
- Developer-Owned \_\_\_\_\_
- Purchase and Sale (to Developer) \_\_\_\_\_
- Under Option \_\_\_\_\_
- Expiration date of option \_\_\_\_\_
- Foreclosed (Tax Title) \_\_\_\_\_

Zoning: Describe the current zoning for the development site, whether zoning changes will be required; in particular describe any density increases that will be required and the projected length of time that will be necessary for zoning changes to be approved. (Attach additional sheets as necessary.)

Comprehensive Permit: Will a comprehensive permit be sought for this development? If so, what is the status on obtaining this permit? (Note that MHFA site approval is required as part of the HOP application.) Has a permit application been filed with the local Zoning Board of Appeals?

Site Approval: Has a site approval application been submitted to MHFA?

Yes \_\_\_\_\_ No \_\_\_\_\_

Has MHFA approved the site? Yes \_\_\_\_\_ No \_\_\_\_\_

(If yes, please attach a copy of MHFA's approval letter)

Streets and Utilities: Do streets and utilities adequate to meet the needs of the proposed development currently exist on-site? If not, describe the services that must be brought to the site, the distance required, approvals necessary, and from where the services must be brought.

Special Features: Describe any special features about the site [e.g. wetlands, access, location in an historic district] or the proposed ownership structure [e.g. land trusts] which may effect the development.

Construction Financing:

- Loan Amount                   \$ \_\_\_\_\_
  
- Status of Loan:
  - Applied For \_\_\_\_\_
  - Conditional Commitment \_\_\_\_\_ (If yes, attach letter)
  - Commitment Letter \_\_\_\_\_ (If yes, attach letter)
  
- Construction Lender: \_\_\_\_\_
  - Contact: \_\_\_\_\_
  - Telephone: \_\_\_\_\_

HOUSING MARKET INFORMATION

Total housing units available in community: \_\_\_\_\_  
Total occupied housing units in community: \_\_\_\_\_

Number of permits issued for new single and multi-family residential units in the past year as provided by the local building department.

Single \_\_\_\_\_ Multi \_\_\_\_\_

List three recent comparable sales in the community for similar type developments and indicate source of information:

1. Property Address: \_\_\_\_\_  
No. Bedrooms: \_\_\_\_\_  
Sq. Footage (Living Space) \_\_\_\_\_  
Sales Price \_\_\_\_\_  
Date Sold \_\_\_\_\_
  
2. Property Address: \_\_\_\_\_  
No. Bedrooms: \_\_\_\_\_  
Sq. Footage (Living Space) \_\_\_\_\_  
Sales Price \_\_\_\_\_  
Date Sold \_\_\_\_\_
  
3. Property Address: \_\_\_\_\_  
No. Bedrooms: \_\_\_\_\_  
Sq. Footage (Living Space) \_\_\_\_\_  
Sales Price \_\_\_\_\_  
Date Sold \_\_\_\_\_

List any basic similarities and differences between the proposed HOP project and comparables.

Briefly describe the impact this project will have on the community and the demand/need in the community for this type project.



**DEVELOPMENT COST (PRO FORMA) INFORMATION**

**Development Items**

**Total Costs**

**Per Unit Costs**

**HARD COSTS**

(a) Site Acquisition	\$ _____	\$ _____
(b) Site Preparation	_____	_____
(c) Landscaping	_____	_____
(d) Residential Construction	_____	_____
(e) Subtotal Hard Costs	\$ _____	\$ _____
(f) Contingency	_____	_____
(g) <b>TOTAL HARD COSTS</b>	\$ _____	\$ _____

**SOFT COSTS**

(h) Permits/Surveys	\$ _____	\$ _____
(i) Architectural	_____	_____
(j) Engineering	_____	_____
(k) Legal	_____	_____
(l) Insurance	_____	_____
(m) Security	_____	_____
(n) Developer's Fee	_____	_____
(o) Construction Manager	_____	_____
(p) Property Taxes	_____	_____
(q) Construction Interest	_____	_____
(r) Financing/Application Fees	_____	_____
(s) Utilities	_____	_____
(t) Maintenance (unsold units)	_____	_____
(u) Accounting	_____	_____
(v) Marketing	_____	_____
(w) Commissions	_____	_____
(x) Subtotal Soft Costs	\$ _____	\$ _____
(u) Contingency	_____	_____
(z) <b>TOTAL SOFT COSTS</b>	\$ _____	\$ _____
<b>TOTAL DEVELOPMENT COSTS</b>	\$ _____	\$ _____

Profit Analysis (Should conform to information on Pro Forma)

Sources

- a. HOP Projected Sales \$ \_\_\_\_\_
- b. MHFA Projected Sales \$ \_\_\_\_\_
- c. Public Housing Sales \$ \_\_\_\_\_
- d. Market Sales \$ \_\_\_\_\_
- e. Public Grants (if any) \$ \_\_\_\_\_
  
- f. Total Sales plus Grants \$ \_\_\_\_\_

Uses

- g. Total Development Costs \$ \_\_\_\_\_

- 
- h. Total Profit (f - g) \$ \_\_\_\_\_
  - i. Percentage Profit (h/g) \_\_\_\_\_

Financing

- j. Total MHFA financing \$ \_\_\_\_\_  
    ([a + b] x 95%)
  
- k. HOP subsidy funds \$ \_\_\_\_\_  
    (# of HOP units x \$13,000)

Cost Analysis: Provide the total residential square footage and the cost per per square foot for each of the following items. Items should conform to information provided on the Pro Forma.

- Total Residential Square Footage: \_\_\_\_\_
- Construction Costs per Square Foot: \$ \_\_\_\_\_
- Hard Costs per Square Foot: \$ \_\_\_\_\_
- Total Development Costs per Square Foot: \$ \_\_\_\_\_
- Sales per Square Foot: \$ \_\_\_\_\_

## ADDITIONAL MATERIALS

In addition to the application itself, the following materials must be submitted as part of the project application package:

- **Community Letter:** If applicable (for joint or community only proposals), a letter of transmittal and support for the project must be submitted. This letter should detail the community's level of support for the project, any resources that it will commit to the project, and any restrictions/concerns that it has for the development.
- **Local Housing Partnership Letter:** In instances where the involved community is also a designated local housing partnership, a letter of support (covering the same issues as noted above) should be submitted.
- **Developer's Resume**
- **Community/Area Map:** Map of the community/area, noting the site for the project in relation to the rest of the community.
- **Site Map:** Map of site noting relationship to the immediate neighborhood.
- **Development Footprint:** Location of proposed buildings on site and roads and parking areas.
- **Unit Plan:** Preliminary schematic plan showing elevation of the buildings and interior lay-outs of units. Various unit types (e.g. public housing, state assisted, state-financed, market) should be separately identified and located within the various buildings.
- **Purchase and Sale Agreement:** Documentation should be submitted noting the price of the land actually paid at the last "arm's length" transaction.\*
- **MHFA Site Approval Letter:** If applicable, and particularly for developments attempting to utilize a comprehensive permit.
- **Market Study:** Preliminary study of the market for the type of housing that is going to be produced in this community. This need not be a full market study at this time (although one will be required at a later date), but should analyze; the number of units planned or in construction in the community; the design and pricing structure of these units compared to those typically found in the community; the potential demand for these units; and the potential impact on the community for this development.

- **Construction Financing:** If a commitment for construction financing has been made, the commitment letter noting any and all conditions should be submitted.
- **CDAG Application:** For projects requesting CDAG funds, attach five copies of the CDAG application.

**OKM** OKM Associates, Inc  
154 Canal Street, Boston, MA 02114 (617) 742-8616

February 5, 1988

Mr. David Hartwell  
Acton Community Housing Corporation  
P.O. Box 681  
Acton, MA 01720

RE: OKM Consulting Services to the Acton CHC

Dear Mr. Hartwell:

As we agreed, OKM will report to you on a bi-weekly basis hours spent to date on the Tasks outlined in our agreement letter dated January 28, 1988 as well as additional requested tasks.

Time Period: January 23, 1988 to February 5, 1988

Time Spent:	Cynthia Lacasse	Monte Franke
	14 hours	2 hours
	\$150	\$560

Total to Date: \$710

Sincerely,

*Cynthia Lacasse*  
Cynthia Lacasse  
Senior Analyst

ACTON COMMUNITY HOUSING CORPORATION

MEMORANDUM

To: Betty McManus  
From: David W. Hartwell  
Date: February 9, 1988  
Reference: OKM Associates, Inc.

Enclosed for review by the Board are copies of the following OKM transmittals.

1. Proposed costs to market ten HOP units at Great Hill Village and to select homeowners.
2. Options for structuring a developer's fee to be paid to the ACHC.
3. The revised "Information to be Supplied by Developers" package.
4. Letter of contract between the ACHC and OKM. (I'll draft a formal Agreement).
5. OKM incurred costs to date.

  
\_\_\_\_\_

enclosures--

DWH/skb



OKM Associates, Inc.  
124 Canal Street, Boston, MA 02114 (617) 742 8416

February 5, 1988

Mr. David Hartwell  
Acton Community Housing Corporation  
P.O. Box 681  
Acton, MA 01720

RE: Options for structuring a Developer's Fee to be paid to the  
Acton Community Housing Corporation (CHC)

Dear David:

You requested that Monte and I outline options for structuring a fee to be paid by developer's submitting affordable housing development proposals to the Acton CHC. The CHC has expressed interest in requiring developers to pay a fee that would fund part of the CHC's expenses. We recommend that the CHC implement a two-stage fee structure, consistent with new HOP funding guidelines and our proposed two-stage project review process.

#### Stage 1

Each developer would be required to pay a small (perhaps \$500) application fee when submitting a proposal to the CHC. This fee would offset some of the costs incurred by the CHC in reviewing the proposal and entering into negotiations with the developer.

We recommend that you not request a large fee from each developer submitting a proposal to the CHC for two reasons:

1. If a developer is asked to submit a large amount of money up front, she may expect "special treatment." That is, she may expect that her proposal should and will be approved by the CHC.
2. Conversely, an up-front fee required with no guarantee that he will get any further might deter a developer from submitting a proposal to the town. We do not believe that this is the CHC's intent.

The CHC does not want developers to expect to receive automatic approval nor does it want to discourage responsible developers from submitting good affordable housing proposals to the town.

## Stage 2

If the CHC approves the development proposal, and the developer receives HOP or other funding approval as well as town approval (i.e. Comprehensive Permit) to go ahead with the project, the CHC should then request a larger fee from the developer. This fee can be structured several ways:

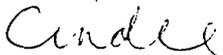
1. A flat fee (such as \$5000) to be paid by all developers regardless of development size or number of affordable units. We do not recommend this option. In this case, a developer building 15 units will be charged the same amount as one building 100 units. Consequently, by imposing a flat fee, the CHC may inadvertently be encouraging developers to come in with bigger developments than they would have otherwise.

2. A per unit fee (such as \$100/unit) based on number of units built. This would be a more equitable agreement because a developer with a larger project (and perhaps a larger profit) would pay a larger fee.

3. A per unit fee (such as \$135/market unit) that takes into account the number of affordable units built. In this scenario, developers pay a fee only on the market units built. In this way the CHC could reward a developer building a development with a higher percentage of affordable units by charging him or her less. This may provide an incentive for more affordable units. Consider the following example: a developer proposes a 60 unit development with 25% affordable units. According to the above formula, the developer would pay a fee of \$6075 to the CHC. If the developer chose to include 30% affordable units, he would pay \$5670. The CHC could play this out even further by stating that the fee would be waived for developments having over a certain percentage (for example, 50%) of affordable units.

Monte and I would be pleased to discuss one or more of these options further with you and/or the rest of the Board. Please call us if you have any questions.

Sincerely,



Cynthia Lacasse  
Senior Analyst

**OKM** OKM Associates, Inc  
 164 Canal Street, Boston, MA 02114 (617) 742-8616

February 5, 1988

Mr. David Hartwell  
 Acton Community Housing Corporation  
 P.O. Box 681  
 Acton, MA 01720

Dear Mr. Hartwell:

At your request, I am submitting the following proposal for OKM to market ~~nine~~<sup>nine</sup> affordable units in a HOP development to be constructed in Acton. The Marketing and Homeowner Selection process comprises the following seven steps. While we have the resources and experience to do them all, we recommend that you hire us for the first two steps only. The last five steps -- Conducting the Application and Selection Process -- will be more efficiently and effectively carried out by an Acton CHC staff person.

1. Develop the Marketing and Selection Process. This includes development of all forms (application, form letters and so on) as well as training the Acton CHC staff person to conduct the marketing and application process. Proposed Cost - \$3000.
2. Write an Affirmative Fair Marketing Plan (required by MHP). Proposed Cost - \$500.
3. Issue Applications. Proposed Cost - \$800.
4. Conduct Information Workshops. Proposed Cost - \$880.
5. Review Applications and Qualify Applicants (Assumption of 50 applicants). Proposed Cost - \$2000.
6. Hold Lottery. Proposed Cost - \$800.
7. Assist 9 families through the mortgage process to closing. Proposed Cost - \$2600.

SUBTOTAL Tasks 1 - 2 = \$ 3500  
 SUBTOTAL Tasks 3 - 7 = \$ 7080  
 TOTAL Tasks 1 - 7 = \$10580

OKM staff will be available for direct consultation on an hourly basis throughout the entire selection process. If OKM is selected to do Tasks 1 and 2, I would need to be involved in the hiring process to fill the staff position. If you have any questions, please do not hesitate to call me.

Sincerely,

*Cynthia Lacasse*

Cynthia Lacasse  
Senior Analyst

February 22, 1988

Mr. David Hartwell  
Acton Community Housing Corporation  
P.O. Box 681  
Acton, MA 01720

RE: OKM Consulting Services to the Acton CHC

Dear Mr. Hartwell:

As we agreed, OKM will report to you on a bi-weekly basis hours spent to date on the Tasks outlined in our agreement letter dated January 28, 1988 as well as additional requested tasks.

Time Period: February 6, 1988 to February 19, 1988

Time Spent:	Cynthia Lacasse	Monte Franke
	18.5 hours	0 hours
	\$740	

Total: \$740

Total to Date: \$1450

Sincerely,



Cynthia Lacasse  
Senior Analyst

AGREEMENT FOR PROFESSIONAL SERVICES

by and between

THE ACTON COMMUNITY HOUSING CORPORATION

and

OKM ASSOCIATES, INC.

for

PROFESSIONAL SERVICES

This Agreement is entered into this *24<sup>th</sup>* day of February, 1988, by and between the above-mentioned parties hereinafter referred to as the "CHC" and the "Consultant", respectively, for consulting services.

WHEREAS, the developer (L & S Builders Corp. of Pepperell, Massachusetts) of a proposed affordable housing development to be located in the area of Parker Street, Acton, Massachusetts has voluntarily agreed to provide funding to the CHC to enable the CHC to immediately retain the services of a qualified consulting firm to evaluate the developer's proposal and to make recommendations to the CHC prior to the HOP application due date of March 18, 1988; and

WHEREAS, the CHC has agreed to comply with the developer's request that the proposed affordable housing development be evaluated with dispatch; and

WHEREAS, the Consultant has submitted the required proposal (Attachment Number One, which is hereby incorporated into this Agreement) and is duly qualified to evaluate the aforementioned affordable housing development proposal and to make recommendations to the CHC;

NOW THEREFORE, the CHC and the Consultant agree to the following terms and conditions as set forth below:

A. SCOPE OF SERVICES

1. The Consultant shall perform site-specific tasks as delineated on Attachment Number One.

B. COST OF SERVICES AND COMPENSATION

The cost of services outlined on Attachment Number One shall not exceed Five Thousand Dollars (\$5,000.00) and shall be provided by the Consultant according to the following fee structure:

Partner, Monte Frank	\$75.00/hour
Senior Analyst, Cynthia Lacasse	\$40.00/hour

The Consultant will notify the CHC chairperson on a bi-weekly basis of hours spent to date on each task. This notification will be both verbal and in writing.

Compensation for services rendered shall be reimbursed per submission of documented invoices to the CHC at the beginning of each month. Invoices are payable within thirty (30) days of receipt by the CHC.

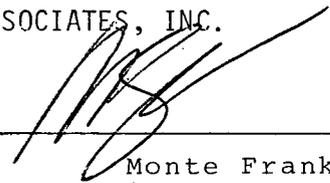
C. PERFORMANCE TIMETABLE

The Consultant shall perform the tasks outlined under the Scope of Services for the period February 24, 1988 through February 24, 1989 unless this Agreement is terminated, amended or extended. Extension or amendment shall only be executed by mutual written agreement of the CHC and the Consultant.

This Agreement may be terminated by either party upon written notice to the other party at least five (5) days in advance of the requested termination date. If the Agreement is terminated by the CHC, the Consultant shall be compensated an amount which bears the same ratio to the total compensation as the services actually performed.

OKM ASSOCIATES, INC.

By: \_\_\_\_\_



Monte Franke

Title: \_\_\_\_\_

Clerk

ACTON COMMUNITY HOUSING CORPORATION

By: \_\_\_\_\_



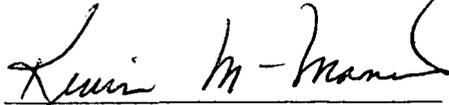
Naomi McManus, Secretary

By: \_\_\_\_\_



David W. Hartwell, President

Encumbered: \_\_\_\_\_



Kevin McManus, Treasurer

February 16, 1988

Mr. David Hartwell  
Acton Community Housing Corporation  
P.O. Box 681  
Acton, MA 01720

Dear Mr. Hartwell:

At your request, I am submitting the following proposal for OKM to analyze a HOP development proposal and negotiate with the developer on behalf of the CHC. We understand that the developer wishes to submit his proposal to the Massachusetts Housing Partnership (MHP) to meet the March 18, 1988 HOP application deadline. Therefore, the tasks outlined below will be conducted over a one-month period.

The Acton CHC is currently negotiating with one HOP developer (Quarry Road). As it enters into negotiations with this second developer, it is imperative that it take steps to ensure that both developers are treated in the same manner. To this end, OKM proposes to discuss the progress and objectives of the negotiations currently underway with the consultant conducting the Quarry Road negotiations and/or a CHC member who is familiar with the process to this point in time. OKM will continue to discuss the progress of both negotiations with the Quarry Road consultant. We also recommend that if the CHC chooses to support both proposals, it rank them or distinguish them in some way when submitting them to the MHP.

We propose the following tasks:

TASK	PROPOSED COST
1. Briefing on status and objectives of negotiations with Quarry Road developers	\$ 150
2. Review development proposal	\$ 585
3. Prepare financial models	\$ 225
4. Meet with CHC subcommittee to outline objectives (1 1/2 hour travel; 2 1/2 hour meeting)	\$ 460
5. Ongoing discussions with Quarry Road negotiators	\$ 500

- |  |              |
|--|--------------|
| 6. Developer negotiations                        | hourly rates |
| 7. Meet with CHC subcommittee to present outcome | \$ 460       |

OKM hourly rates are as follows:

Partner	\$75/hour
Senior Analyst	\$40/hour

It is difficult to estimate costs for negotiation sessions. OKM will bill these sessions at hourly rates with a total cost for negotiations not to exceed \$2620. The cost for the entire project will not exceed \$5000. Given the one-month time period for the project, we believe that these costs are a reasonable estimate. During the course of the project, we will notify the CHC if we believe that we will need to exceed these estimated costs.

If you have any questions, please do not hesitate to call Monte Franke or me. We look forward to working with you on this project.

Sincerely,



Cynthia Lacasse  
Senior Analyst

**OKM** OKM Associates, Inc.  
164 Canal Street, Boston, MA 02114 (617) 742-8616

February 22, 1988

Mr. David Hartwell  
Acton Community Housing Corporation  
P.O. Box 681  
Acton, MA 01720

Dear Mr. Hartwell:

At your request, I am submitting the following proposal for OKM to analyze a HOP development proposal and negotiate with the developer on behalf of the CHC. We understand that the developer wishes to submit his proposal to the Massachusetts Housing Partnership (MHP) to meet the March 18, 1988 HOP application deadline. Therefore, the tasks outlined below (with the exception of ZBA and other board meetings) will be conducted over a one-month period.

The Acton CHC is currently negotiating with one HOP developer (Quarry Road). As it enters into negotiations with this second developer, it is imperative that it take steps to ensure that both developers are treated in the same manner. To this end, OKM proposes to discuss the progress and objectives of the negotiations currently underway with the consultant conducting the Quarry Road negotiations and/or a CHC member who is familiar with the process to this point in time. OKM will continue to discuss the progress of both negotiations with the Quarry Road consultant. We also recommend that if the CHC chooses to support both proposals, it rank them or distinguish them in some way when submitting them to the MHP.

We propose the following tasks:

TASK	ESTIMATED NOT TO EXCEED COST
1. Briefing on status and objectives of negotiations with Quarry Road developers	\$ 150
2. Review Developer Information Package and additional developer submissions	\$ 625
3. Analyse development pro forma and prepare financial models	\$ 300
4. Meet with the CHC to outline objectives (1 1/2 hour travel; 2 1/2 hour meeting)	\$ 460

- |  |                 |
|--|-----------------|
| 5. Ongoing discussions with CHC members                  | \$ 460          |
| 6. Developer negotiations                                | hourly<br>rates |
| 7. Meet with the CHC to present<br>final recommendations | \$ 460          |
| 8. Attend ZBA and other public meetings<br>as needed     | hourly<br>rates |

OKM hourly rates are as follows:

Partner	\$75/hour
Senior Analyst	\$40/hour

It is difficult to estimate costs for negotiation sessions. OKM will bill these sessions at hourly rates with a total cost for negotiations not to exceed \$2545. (Negotiations, Task 6. above, include analysis of revised pro formas and other developer submissions as necessary.) The cost for the entire project (Tasks 1. through 7.) will not exceed \$5000. Given the one-month time period for the project, we believe that these costs are a reasonable estimate. During the course of the project, we will notify the CHC if we believe that we will need to exceed these estimated costs. If HOP funding is approved for the project, OKM will participate in any further negotiations and ZBA and other community meetings as requested by the CHC. Time spent for these services will be billed at OKM hourly rates.

If you have any questions, please do not hesitate to call Monte Franke or me. We look forward to working with you on this project.

Sincerely,



Cynthia Lacasse  
Senior Analyst

Mon 4/29/88



DON P. JOHNSON  
TOWN MANAGER

**TOWN OF ACTON**  
TOWN HALL  
472 MAIN STREET  
ACTON, MASSACHUSETTS 01720  
TELEPHONE (617) 264-9612

BOARD OF SELECTMEN  
DONALD R. GILBERTI - CHAIRMAN  
WILLIAM E. WEEKS - VICE-CHAIRMAN  
CHARLES E. KOSTRO, JR. - CLERK  
F. DORE HUNTER  
NANCY E. TAVERNIER

April 29, 1988

Executive Office of Communities and Development  
Office of the Secretary  
100 Cambridge Street Room 1404  
Boston, MA 02202

Dear Secretary Anthony:

The Acton Community Housing Corporation (CHC) was recently formed with the direction and support of the Board of Selectmen. The expressed goal of the CHC is to provide affordable housing in our community.

Thus far, members have been successful in identifying and obtaining limited funding through grants and donations from several sources. There is, however, a need for additional funding to enable the Town to more aggressively pursue its goal of providing affordable housing.

The Acton Community Housing Corporation intends to submit an application for funding from the Executive Office of Communities and Development under the Strategic Planning Program. Funding of the proposed project would allow development of the following major segments of our plan:

- 1) Establishment and implementation of a procedure for coordinating the various agencies of local government involved in the approval process for Affordable Housing Projects.
- 2) Creation "Affordable Housing Guidelines" to be considered and included as an important element of the Town's Master Plan.
- 3) Creation of a "Program for Self-Sufficiency" for continued funding of the nonprofit Acton Community Housing Corporation.

I fully support the efforts and goals of this organization and urge you to help us help ourselves through favorable action on this grant application.

Very truly yours,

A handwritten signature in black ink, appearing to read "Don P. Johnson", with a long horizontal flourish extending to the right.

Don P. Johnson  
Town Manager

CC: Acton Community Housing Corp.  
Board of Selectmen

# Town gears up for affordable housing

**By Maureen Dudek**

ACTON — First-time homebuyers and moderate income families impacted by spiraling real estate costs may soon find relief.

Like many communities around the state, Acton is close to establishing a community development corporation — a type of private, non-profit group that is quickly becoming the state's leading builder of affordable housing.

Through a CDC, funds derived from public grants and private financing can be used to purchase condominium units and homes at lower than market prices.

Steven Graham, an Acton attorney who is involved in the affordable housing effort, said the Acton Community Housing Corporation will open new doors to many who have been pinched out of area's housing market.

"Our hope is to interface with developers, many of those connected with comprehensive permits, and eventually establish a financial base to obtain affordable units. There are groups, like those employed by the town, who cannot afford to buy here," Graham said.

However, Graham said Acton will most likely need to rely on private financing because the town's economic status is too high to qualify for state grants.

Graham, who has also been elected president of the Acton Community Housing Corporation, added that paperwork for incorporation will be submitted to the state by next week. "It is not likely to be rejected. It is fairly standard. We should be ready to go in a month," he said.

Town Planner Jane Mahony added that the newly developed corporation would enable the town to focus on other community needs. "It may be housing now, but in 10 years, money could be spent on day care," she said.

For months, members of the Housing Task Force have been developing the concept of a CDC. Mahony said the CDC will eventually consist of an autonomous, elected 12-member board.

Current officers include Graham, president; Roy C. Smith, vice president; Brian Lanigan, treasurer; and Betty McManus, clerk.

Since federal community de-

velopment funds became available from the Nixon administration, CDC's have grown in popularity — there are 40 already in existence and 20 more statewide in various stages of development. They are particularly powerful tools in urban areas, where land is at a premium and affordable housing is dwindling.

The concept is spreading to suburban communities as well, but the largest pitfall to any CDC is lack of sufficient operating funds. The state Executive Office of Communities and Development supported a \$2 million budget, but the Legislature sliced it to \$1.5 million — almost the same as the current budget. Officials fear that the small budgets create pressure to cut corners, which ultimately increase development costs and the inflate purchase prices beyond affordable means.

Graham conceded that it may take time to build a solid financial base. He said the state and the Housing Authority has allocated \$10,000 in seed money to get the program off the ground. But Graham emphasized that the corporation will provide the town with the proper mechanism to deal with developers.

# Clearing house for affordable housing

By **Maureen Dudek**

ACTON — A private corporation has been established as a clearing house to help the town and developers collectively meet the state's affordable housing mandate.

Selectmen this week unanimously endorsed the mission of the newly formed Acton Community Housing Corporation and applauded the efforts of volunteers who are helping to formulate procedures to implement the town's affordable housing policy.

The corporation will aid developers who are interested in procuring a comprehensive permit, which enables them to bypass local boards if units are set aside for low income recipients.

Member Roy Smith explained that the corporation provides a vehicle for the town to work with the developer to outline community benefits.

"I'll tell you. It's easier to get these permits on friendly terms rather than ramming them down our throats," he said.

Under the plan, developers will present their full intentions, including types of variances needed, to the corporation, which will then circulate the proposal to other town boards for review. After comments have been received, the corporation will vote on specific recommen-

dations consistent with town policy.

Smith said that currently developers have no formal agency to discuss plans, adding that the Housing Authority has assumed these duties. But he hoped that the corporation could start in January.

# Acton firm, builders craft 'affordable' goal

By Jeri Rowe  
NEWS STAFF WRITER

ACTON — Developers of a South Acton condominium complex sent tremors through town last year when they considered doubling the project's size.

But members of an independent grass roots corporation devoted to "affordable housing" told selectmen last night they have begun to calm those townwide fears.

The Acton Community Housing Corporation — one of the first of its kind in eastern Massachusetts — has begun working with developers who apply for comprehensive permits for their projects.

The comprehensive permit allows developers to skirt local bylaws by devoting a portion of their complexes to low- and moderate-income housing.

"The comprehensive permit will always be there, but this gives us a mechanism to deal with it," said Selectman Charles Kostro Jr., the board's liaison to the corporation.

"We can properly handle these permits whereas we couldn't a year ago," said Kostro.

Developers of Great Hill Crossing in South Acton, whose original proposal for a 76-unit complex was rejected by Town Meeting, came back and requested a comprehensive permit for a 180-unit complex last year.

After two Town Meeting defeats, the developers finally proposed a 98-unit complex with a number of amenities, including a \$150,000 traffic study and 15 affordable housing units ranging in price from \$85,000 to \$110,000.

The proposal received unanimous approval from selectmen last August.

"The difficulty this town has run into is it had stonewalled affordable housing," said corporation member Steven Graham, a local attorney. "We're now an aggressive supporter of affordable housing, and we need the (housing corporation) to be a where-with-all for that."

developer fees, according to corporation member Roy Smith, a local developer.

State law mandates that if less than 10 percent of a town's housing stock does not meet the state's criteria for affordability, a developer can apply directly to the local zoning board of appeals for a comprehensive permit. Acton's percentage of affordable housing is less than 2 percent.

"This group provides us a vehicle that gives us the best bang for our bucks, and edges us closer to the 10 percent," said Smith.



# Massachusetts Housing Partnership

100 Cambridge Street  
Boston, Massachusetts 02202  
(617) 727-7824

March 1, 1988

Mr. F. Dore Hunter  
Board of Selectmen  
Town Hall  
Acton, MA 02743

Dear Mr. Hunter:

Following our review of local housing partnership activities, we have decided to allocate additional resources to those communities which show a significant potential for affordable housing development and which need additional assistance to enable them to reach that potential.

I am pleased to announce that Acton has been recommended as a community which has made a significant commitment to affordable housing. To enable you to better undertake your affordable housing agenda, we invite you to participate in our new "Partnership Planner" program, a component of the Municipal Advance which is available by invitation only. Other Communities in your area also will be invited to participate, sharing a professional staff person to work with your local housing partnership.

Owen Cardwell, MHP Regional Office Director for your community, will be contacting you to discuss the next step in implementing a program that we believe could enable you to make substantial progress, building upon your efforts to date. The Regional Office Director will have information relative to application procedures.

I congratulate you upon your selection for the first round of funding in this new initiative, and I wish you the best of luck with the implementation of your affordable housing strategy.

Sincerely,

Amy A. Anthony  
Secretary

cc: Joseph Flatley  
Owen Cardwell

ACTON COMMUNITY HOUSING CORPORATION

P.O. Box 681

Acton, Massachusetts 01720

March 10, 1988

Board of Selectmen  
Town Hall  
Acton, Massachusetts 01720

Reference: Affordable Housing

Dear Board Members:

The Acton Community Housing Corporation, acting as the Town's affordable housing preliminary negotiating agency as authorized by the Board of Selectmen has, with professional assistance, completed preliminary negotiation with the developers of two proposed affordable housing developments. Each of the two developers have stated their intent to apply for a Chapter 774 Comprehensive Permit which, if approved, would allow a substantial increase in unit density per acre.

The purpose of this communication is to request that the Selectmen endorse and support the affordable housing concept of each of the two proposed developments at their next meeting on Tuesday, March 15, 1988.

Your support as evidenced by each of the two enclosed letters will assist the developers in their submission of applications to the Homeownership Opportunity Program and the Massachusetts Housing Partnership by the due date of March 18, 1988. These applications will enable the developers to compete for subsidized funding to write-down the cost of the affordable units.

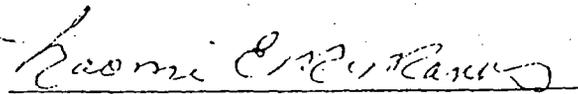
Your conceptual approval of the affordable housing components of each of the two proposals will have no impact on the powers and functions of other Town Boards or Commissions as these powers and functions may relate to any Comprehensive Permitting procedures.

The undersigned plan to be present at your March 15th meeting to respond to any questions the Board may have. Additionally, each of us may be contacted at home over the coming week-end.

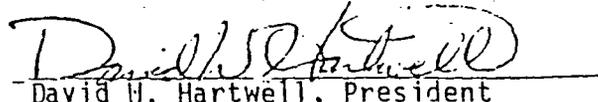
Thank you for your consideration.

Sincerely,

ACTON COMMUNITY HOUSING CORPORATION



Naomi McManus, Clerk



David H. Hartwell, President

enclosures--

## **Great Hill Condos break ground**

ACTON — Developers of a 98- condominium development on Great Hill in South Acton will officially break ground this Friday.

Although construction of the infrastructure has already begun, the ceremonial groundbreaking will also mark the presentation of a \$150,000 check to the town to be used for traffic studies, according to Armand Dufresne, planner for the project.

The 18-acre site, located on the brow of the hill, will be developed over the course of two years. The first units should be completed by mid to late summer, Dufresne said. The market-rate units will sell for between \$200,000 and \$285,000 apiece.

Five of the units will be given to the housing authority, and 10 others will be sold at below market rates under the first-time homeowners program. Their prices will average around \$75,000.

The developers have also agreed to construct a 50-car parking lot and give it to the town. The lot will be located near the Exchange Hall in South Acton.

The Board of Appeals unanimously granted a comprehensive permit for the project in March.

## LOCAL NEWS

## Acton gains 15 units of affordable housing

By Tim Boutin  
NEWS STAFF WRITER

ACTON — The Massachusetts Housing Finance Agency this week approved \$712,500 in mortgage financing for the planned Great Hill Crossing condominium complex.

Armand Dufresne, representing developer James Slattery, said he was confident construction financing and the project's sewage treatment plan would be approved in the near future.

"We'll look to begin construction by early October, say October 15 to be on the safe side," Dufresne said. "The project is going to be in construction for a couple of years."

The 98 condominiums will include 15 affordable units priced from \$85,000 to \$100,000, the MHFA financing will help pay for these affordable units. The remaining condominiums will range in price from \$250,000 to \$350,000, Dufresne said.

Proposed as a subdivision in 1986, Great Hill originally raised concerns among town officials and residents over possible traffic, noise and septic problems near the site. At Town Meetings in 1986 and 1987, residents voted against changing zoning bylaws to accommodate Great Hill.

The developer and the town

## Acton, Stow win slice of grants May 1988

By Tim Boutin  
NEWS STAFF WRITER

ACTON — State officials yesterday awarded more than \$2 million to support new housing projects in Acton and Stow.

Under the new state-wide Homeownership Opportunity Program, \$1,847 million was awarded for development of Barker's Pond, a planned 63-unit development in Acton. Another \$750,000 was awarded to the 36-unit Apple Farm development in Stow.

In total, nearly \$37 million was awarded to 20 projects across the state, which will help to provide 1,429 housing units, of which 368 are targeted to first-time homebuyers earning between \$20,000 and \$33,000 per year.

Standing before the planned site of the Barker's Pond development on Parker Street, Amy Anthony, state secretary of communities and development, said the link established between communities, developers and the state made the program a reality.

"This award means we are supporting these developments," Anthony said in announcing the grant. "We're not just talking about ideas and plans. We're talking about homes for people who really need them."

Kevin Sweeney of L&S Builders Corp., developers of the local projects, said "there's no way housing is going to be done in the state unless it's under this type of program."

William Weeks, chairman of the Acton Board of Selectmen, thanked the efforts of the Acton Housing Authority, and said the project will offer a chance to younger families to move into town.

"Acton is an aging town," Weeks said. "The people we need to rejuvenate the town can't get an inroad. We foresee further progress in this area."

Stow Selectman James Dunlap said the award was indicative of Stow's "new commitment to affordable housing."

State Rep. John Loring (R-Acton) of the 14th Middlesex District and members of the Acton Housing Authority and the Massachusetts Housing Finance Agency also attended the ceremony.

The Homeownership Opportunity Program, initiated by Gov. Michael Dukakis in 1986, is based on a local partnership between community and developer who work together to reduce development costs on housing projects. The state provides low-cost mortgage financing through the Massachusetts Housing Finance Agency and interest subsidy through the Executive Office of Communities and Development to further reduce interest rates to as low as 5.5 percent.

The state awards were broken down between Homeownership Opportunity Program subsidies and Massachusetts Housing Finance Agency appropriations.



# ACTON HOUSING AUTHORITY

Windsor Avenue  
P.O. Box 681  
Acton, Massachusetts 01720  
617/263-5339

July 8, 1988

Mr. William Weeks, Chairman  
Board of Selectmen  
Town of Acton  
Town Hall  
40 Nagog Park  
Acton, MA 01720

Dear Bill:

I have enclosed a copy of "A Handbook for Local Housing Partnerships" which is an excellent tool for communities like Acton. As you will note, I was a member of the committee that contributed to the development of the book.

Please pay special attention to Page #21 in which the liability issue of members of local partnership is discussed. It would appear that if the Acton Selectmen voted to designate the specific members of the current Acton Community Housing Corporation as special municipal employees, the letter of the law, Chapter 258 M.G.L. would be met. I have enclosed a list of the members and would appreciate the Selectmen's affirmative vote of these members.

Should there be need for further clarification on this request, please do not hesitate in contacting me at the Authority's office. Thank you in advance for your personal attention to this request.

Sincerely,

Naomi E. McManus  
Executive Director

NEM:mk

Enclosure(s)

EQUAL HOUSING OPPORTUNITY



THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE DEPARTMENT

STATE HOUSE • BOSTON 02133

MICHAEL S. DUKAKIS  
GOVERNOR

August 5, 1988

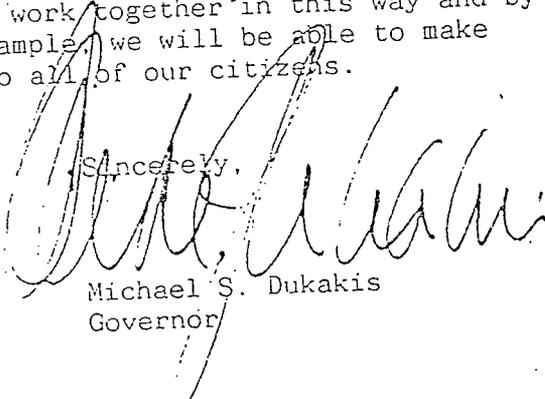
William Weeks  
Chair, Board of Selectmen  
472 Main Street  
Acton, MA 01720

Dear Bill,

I am writing to commend you for the excellent display which Acton presented at the Massachusetts Housing Partnership Expo. The local initiative under your leadership to produce affordable housing was an inspiration to those who attended the Expo, including our special guests from other parts of the country.

I am proud of what the Town of Acton has been able to accomplish, and I am glad you were able to share your experience with others. By continuing to work together in this way and by learning from one another's example, we will be able to make affordable housing available to all of our citizens.

Sincerely,

  
Michael S. Dukakis  
Governor

cc: Betty McManus

ACTON COMMUNITY HOUSING CORPORATION

FINANCIAL REPORT

AUGUST 16, 1988

REVENUE

DONATIONS	\$8000.00
SWEENEY'S	\$5000.00
TOTAL	\$13000.00

SALARY & EXPENSES

M. BARRETT	\$2965.27
------------	-----------

EXPENDITURES

SALARIES	\$2965.27
CONSULTANTS	\$6831.33
MISC.	\$165.37
TOTAL	\$9961.97

BALANCE AVAILABLE	\$3038.03
LESS SWEENEY'S	\$2406.70
NET	\$631.33

ACTON COMMUNITY HOUSING CORPORATION

BOX 681

ACTON, MASSACHUSETTS, 01720

STATEMENT OF OPERATIONS

REVENUES	ACTUAL 1988	PROJECTED 1989	PROJECTED 1990
GRANTS	\$ 5000.00	\$10,000.00	\$10,000.00
DONATIONS	\$ 8000.00	\$ 5000.00	\$ 5000.00
TOTALS	\$ 13,000.00	\$15,000.00	\$15,000.00
EXPENSES			
TEMPORARY HELP	\$ 2563.00	\$2500.00	\$2500.00
CONSULTANTS	\$ 6831.00	\$10,000.00	\$10,000.00
MISCELLANEOUS	\$ 166.00	\$2500.00	\$2500.00
TOTAL EXPENSES	\$9560.00	\$15,000.00	\$15000.00
SURPLUS(DEFICIT)	\$3440.00	-0-	-0-

INTERDEPARTMENTAL COMMUNICATION  
TOWN MANAGER'S OFFICE

\*\*\*\*\*

DATE: Sept. 26, 1988

TO: Board of Selectmen ✓  
FROM: Don P. Johnson, Town Manager  
SUBJECT: Acton Community Housing Corp.

The attached request for designation of the ACHC members as Special Employees was received some time ago. Upon preliminary investigation, it became apparent that two different chapters of the Massachusetts General Laws (c.258 and c.268A) had been combined in the request. Town Counsel has reviewed the purpose and the pertinent laws and has returned his comments which are also attached (along with copies of the laws in question).

The basic problem is that the ACHC would like to be designated "Special Municipal Employees" in order to gain liability protection under Chapter 258. Counsel points out that the only reference to "Special Municipal Employees" occurs within the context of Chapter 268A, dealing with conflict of interest. For those purposes he agrees with the designation. This action would have no bearing on liability under Chapter 258. In that instance he has suggested that it would be prudent to include the Commission in any list of public officers and employees we send to our liability insurer.

Staff would recommend that the Board:

- 1) Vote to classify members of the ACHC as "Special Municipal Employees" under Chapter 268A (Conflict of Interest).
- 2) Vote to include members of the ACHC as public officers and employees for liability insurance purposes. (Chapter 258, liability protection).
- 3) Return a modified version of the sample letter dated July 15 in accordance with the attached "Recommended Letter to ACHC".

  
Don P. Johnson

RECOMMENDED LETTER TO ACHC

July 15, 1988

Mr. David Hartwell  
Chairman  
Acton Community Housing Corp.  
Box 681  
Acton, MA 01720

Dear Mr. Hartwell:

The Acton Board of Selectmen in their regular meeting of \_\_\_\_\_ voted unanimously to designate the following individuals as special municipal employees serving as members of Acton's Local Housing Partnership (Acton Community Housing Corporation). This designation is for conflict of interest purposes under Chapter 268A of the Massachusetts General Laws.

It is also the Selectmen's intent that the ACHC members, when acting within their public purposes as directed by the Selectmen in the ACHC's Mission Statement (see attached copy), will be provided liability protection in accordance with Chapter 258 of the Massachusetts General Laws. When functioning in this capacity the members of ACHC will be included as public officers and employees for liability insurance purposes.

Members of ACHC:

Sandy Bayne  
Steven Day  
Bill Gothorpe  
David Hartwell  
Charles Kostro  
Kevin McManus

Naomi McManus  
Jana Mullin  
Marlin Murdock  
Roy Smith  
Ric Black

Sincerely,

William Weeks, Chairman  
ACTON BOARD OF SELECTMEN

Enc.



## ACTON HOUSING AUTHORITY

Whitaker Avenue  
P.O. Box 691  
Acton, Massachusetts 01720  
617/263-5339

July 8, 1988

Mr. William Weeks, Chairman  
Board of Selectmen  
Town of Acton  
Town Hall  
40 Nagog Park  
Acton, MA 01720

Dear Bill:

I have enclosed a copy of "A Handbook for Local Housing Partnerships" which is an excellent tool for communities like Acton. As you will note, I was a member of the committee that contributed to the development of the book.

Please pay special attention to Page #21 in which the liability issue of members of local partnership is discussed. It would appear that if the Acton Selectmen voted to designate the specific members of the current Acton Community Housing Corporation as special municipal employees, the letter of the law, Chapter 258 M.G.L. would be met. I have enclosed a list of the members and would appreciate the Selectmen's affirmative vote of these members.

Should there be need for further clarification on this request, please do not hesitate in contacting me at the Authority's office. Thank you in advance for your personal attention to this request.

Sincerely,

Naomi E. McManus  
Executive Director

NEM:mk

Enclosure(s)

ACTON COMMUNITY HOUSING CORPORATION

MEMBERSHIP LIST

SANDY BAYNE  
4 MYRTLE DRIVE  
ACTON, MA  
263-3648

RIC BLACK  
429 CENTRAL STREET  
ACTON, MA  
263-2822 - Work  
263-7667 - Home

STEVEN DAY  
27 TUTTLE DRIVE  
ACTON, MA  
727-1538 or  
727-1539 - Work  
263-6983 - Home

BILL GOTHORPE  
60 CONANT STREET  
ACTON, MA  
862-1775 - Work  
263-3897 - Home

DAVID HARTWELL  
409 MAIN STREET  
ACTON, MA  
396-5500 X 520 - Work  
263-4368 - Home

CHARLES KOSTRO  
12 LOTHROP ROAD  
ACTON, MA  
722-1120 - Work  
263-7800 - Home

KEVIN MCMANUS  
15 DEACON HUNT DRIVE  
ACTON, MA  
798-6046 - Work  
263-3738 - Home

NAOMI MCMANUS  
15 DEACON HUNT DRIVE  
ACTON, MA  
263-5339 - Work  
263-3738 - Home

GEORGE MONTER  
5 MAGNOLIA DRIVE  
ACTON, MA  
263-2749 - Home

JANA MULLIN  
74 ALCOTT STREET  
ACTON, MA  
369-3034 - Work  
263-0877 - Home

MARLIN MURDOCK  
5 WACHUSETT DRIVE  
ACTON, MA  
798-6534 - Work  
263-0923 - Home

ROY SMITH  
P. O. Box 519  
ACTON, MA  
263-0011 - Work  
369-4080 - Home

# HOMEWORD

The Newsletter of the Massachusetts Housing Partnership

September, 1988

## MHP Recognizes Community Excellence in Affordable Housing

The Massachusetts Housing Partnership (MHP) broke new ground this summer by making its first public awards for "Community Excellence in Affordable Housing." The awards were presented to **Acton, Amherst, Barnstable, Boston and Gardner.**

This recognition was not easily earned. To be selected, the communities had to exceed four MHP standards: (1) achievement of a high proportion of affordable housing in their recent growth; (2) demonstration of a substantial commitment to special needs housing; (3) utilization of municipal land and resources to develop affordable housing; and, (4) linkage of their housing policies to growth management and to the preservation of open space. Only five out of sixteen cities and towns that applied met the rigorous standards required for recognition by MHP.

Inside this Issue:

Third Annual Expo

Partnership Profile: Town of Barnstable

Documents Available from MHP

Upcoming Events

The Community Excellence Awards are the result of a new policy established by the MHP Board: recognition of a select number of cities and towns for outstanding contributions to affordable housing. These communities will receive special consideration for grant programs administered by MHP and the Executive Office of Communities and Development (EOCD). They will also receive special recommendations for grants from other state agencies.

Each of these award winners has a distinguished record of local initiatives to provide affordable housing. The Town of Acton has been a leader in negotiating to include an affordable housing component in private housing developments. Amherst has pioneered the development of mixed-income homeownership on town-owned land.

Barnstable has supported eight private, mixed-income housing developments in just the past three years. The City of Boston has done an outstanding job in making vacant and abandoned property available for affordable housing. And Gardner has actively supported single room occupancy (SRO) units and a range of other housing opportunities for those with very low incomes. One common characteristic of all five awardees is a strong commitment -- and proven track record -- in providing housing for the homeless, the mentally-ill, and other populations with special needs.

If your city or town would like to apply to MHP for a Community Excellence award, please contact the director of your MHP Regional Office or call MHP in Boston at (617) 727-7824.

## Second HOP Funding Round

Amy S. Anthony, Secretary of the Executive Office of Communities and Development has announced the opening of the second competitive funding round for the Homeownership Opportunity Program (HOP).

Revised guidelines and application forms for this round were released in September, and applications are due on December 6, 1988. Approximately \$6 million in HOP funds will be available for projects selected in the competition.

HOP encourages communities and developers to work together to produce affordable homes for first-time buyers. Over 6,000 units, including 1,800 which are affordable to low and moderate income households, are in the HOP pipeline. Forty HOP projects are occupied or in construction, and 75 additional projects are in development.

*continued on page 4*

## Governor Dukakis Visits New HOP Development in Andover



*Governor Dukakis paid a visit to the newly-completed Abbott's Pond HOP development on August 22. Shown with the governor are prospective first-time homebuyers and MHP Director Joseph Flatley.*



ACTON COMMUNITY HOUSING CORPORATION

P.O. Box 681

Acton, Massachusetts 01720

March 10, 1988

Board of Selectmen  
Town Hall  
Acton, Massachusetts 01720

Reference: Affordable Housing

Dear Board Members:

The Acton Community Housing Corporation, acting as the Town's affordable housing preliminary negotiating agency as authorized by the Board of Selectmen has, with professional assistance, completed preliminary negotiation with the developers of two proposed affordable housing developments. Each of the two developers have stated their intent to apply for a Chapter 774 Comprehensive Permit which, if approved, would allow a substantial increase in unit density per acre.

The purpose of this communication is to request that the Selectmen endorse and support the affordable housing concept of each of the two proposed developments at their next meeting on Tuesday, March 15, 1988.

Your support as evidenced by each of the two enclosed letters will assist the developers in their submission of applications to the Homeownership Opportunity Program and the Massachusetts Housing Partnership by the due date of March 18, 1988. These applications will enable the developers to compete for subsidized funding to write-down the cost of the affordable units.

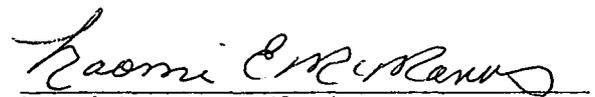
Your conceptual approval of the affordable housing components of each of the two proposals will have no impact on the powers and functions of other Town Boards or Commissions as these powers and functions may relate to any Comprehensive Permitting procedures.

The undersigned plan to be present at your March 15th meeting to respond to any questions the Board may have. Additionally, each of us may be contacted at home over the coming week-end.

Thank you for your consideration.

Sincerely,

ACTON COMMUNITY HOUSING CORPORATION

  
\_\_\_\_\_  
Naomi McManus, Clerk

  
\_\_\_\_\_  
David W. Hartwell, President

enclosures--



## ACTON HOUSING AUTHORITY

Windsor Avenue  
P.O. Box 681  
Acton, Massachusetts 01720  
617/263-5339

TO: ACHC and AHA Board Members  
FROM: Naomi McManus  
SUBJECT: Notes from a meeting held on March 29, 1988 with representatives  
of the Forest Glen Association .

On March 29, 1988 I met with Joseph Ianelli and Greg Little to discuss their concerns/questions relating to the Comprehensive Permit. I have listed below the topics that were covered.

1. How Town Boards interact with a Comprehensive Permit
2. The process a Developer follows when filing for a permit
3. State interaction with a Comprehensive Permit
4. The Water District's role on a Comprehensive Permit
5. The Conservation Commission's role in a Comprehensive Permit
6. What role the Housing Appeal Board plays in the Comprehensive Permit.

The following is a list of requested material they would like sent to them.

1. Description of all State Housing Programs
2. New HOP Regulations
3. Organization chart of State Agencies (EOCD, MHFA, MHP)
4. ACHC's Charter and Bylaws
5. Minutes and Agenda of all future ACHC meetings
6. ACHC's Developer Information Packet
7. A list of possible sub committees being considered by ACHC in the future
8. List of Board Members of AHA & ACHC

The meeting was very agreeable and at the end Joseph Ianelli asked how they might support the AHA and ACHC's efforts in the community. Possibly would like to be the twelfth member of the ACHC's Board of Directors.



DON P. JOHNSON  
TOWN MANAGER

TOWN OF ACTON  
TOWN HALL  
472 MAIN STREET  
ACTON, MASSACHUSETTS 01720  
TELEPHONE (617) 264-9612

BOARD OF SELECTMEN  
WILLIAM F. WEEKS, CHAIRMAN  
CHARLES E. KOSTRO, JR., VICE-CHAIRMAN  
NANCY E. TAVERNIER, CLERK  
F. DORE HUNTER  
DONALD R. GILBERTI

July 8, 1988

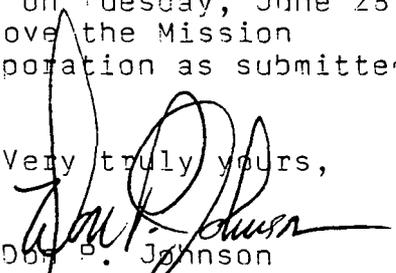
Naomi E. McManus, Secretary  
Acton Community Housing Corporation  
P. O. Box #681  
Acton, MA 01720

RE: MISSION STATEMENT

Dear Ms. McManus:

The Board of Selectmen, at their meeting on Tuesday, June 28, 1988, voted unanimously, by consent, to approve the Mission Statement of the Acton Community Housing Corporation as submitted on June 22, 1988.

Very truly yours,

  
Don P. Johnson  
Town Manager

acs

56013

# Massachusetts Housing Partnership

*Special*

*Award*

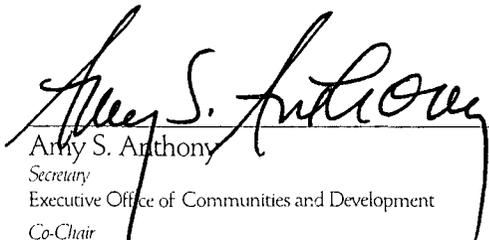
1988

*Certificate of Distinction*

*awarded to*

*The Town of Acton*

In recognition of excellence in housing development initiatives.

  
Amy S. Anthony  
*Secretary*  
Executive Office of Communities and Development  
*Co-Chair*  
Massachusetts Housing Partnership

  
John F. Bok  
*Partner*  
Csaplar & Bok  
*Co-Chair*  
Massachusetts Housing Partnership

  
Joseph H. Flatley  
*Director*  
Massachusetts Housing Partnership



DON P. JOHNSON  
TOWN MANAGER

TOWN OF ACTON  
TOWN HALL  
472 MAIN STREET  
ACTON, MASSACHUSETTS 01720  
TELEPHONE (617) 264-9612

BOARD OF SELECTMEN  
WILLIAM F. WEEKS, CHAIRMAN  
CHARLES E. KOSTRO, JR., VICE-CHAIRMAN  
NANCY E. TAVERNIER, CLERK  
F. DORE' HUNTER  
DONALD R. GILBERTI

July 6, 1988

Mr. David Hartwell  
Acton Community Housing Corporation  
Box 681  
Acton, MA 01720

Dear David:

I presented the attached Certificate of Distinction to the Board of Selectmen at their meeting on June 28 and explained the award that had been made by Amy Anthony earlier that day. The Board was pleased that the Town's efforts through the ACHC, had been recognized.

The Selectmen have asked that I express their appreciation for your work and encourage you to continue in this worthwhile cause. I am forwarding the Certificate for your display with the anticipation that the ACHC will bring the plaque (when received) to a Board meeting for presentation and display at Town Hall.

Congratulations. The recognition is well deserved.

Very truly yours,

Don P. Johnson  
Town Manager

cc: Board of Selectmen

DPJ/cmj(218)



THE COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE DEPARTMENT

STATE HOUSE • BOSTON 02133

MICHAEL S. DUKAKIS  
GOVERNOR

August 5, 1988

William Weeks  
Chair, Board of Selectmen  
472 Main Street  
Acton, MA 01720

Dear Bill,

I am writing to commend you for the excellent display which Acton presented at the Massachusetts Housing Partnership Expo. The local initiative under your leadership to produce affordable housing was an inspiration to those who attended the Expo, including our special guests from other parts of the country.

I am proud of what the Town of Acton has been able to accomplish, and I am glad you were able to share your experience with others. By continuing to work together in this way and by learning from one another's example, we will be able to make affordable housing available to all of our citizens.

Sincerely,

A large, stylized handwritten signature of Michael S. Dukakis in black ink, written over the typed name and title.

Michael S. Dukakis  
Governor

cc: Betty McManus

ACTON COMMUNITY HOUSING CORPORATION

BOX 681

ACTON, MASSACHUSETTS, 01720

August 24, 1988

Mr. Armand J. Dufresne  
Planning Consultant  
Old Centre Realty Trust  
P.O. Box 1484  
Littleton, Ma. 01460

Dear Armand:

As you and I discussed today the Acton Community Housing Corporation ( ACHC ) has been designated by the Acton Selectmen as the agency " entirely responsible for the administration of the HOP in reference to the Great Hill Village Project". ( see enclosed letter ) In the Zoning Board of Appeals ( ZBA ) approval of the project the Orders of Condition, Item # 2 , state the ACHC will conduct the marketing and homeowner selection process for the ten units. The Conditions further state that the petitioner will be responsible for the costs incurred by the ACHC in administrating the market and homeowner selection process.

The ZBA references the proposal submitted by OKM Associates for the marketing and selection at the cost of \$ 10,580.00. The ZBA further states the reimbursement by the petitioner to the ACHC will not exceed that \$ 10,580.00. OKM states presently that based on new MHFA/HOP requirements/regulations and actual marketing experienced the figure of \$ 10,580.00 is underbudgeted.

In speaking to the President of the ACHC, David Hartwell, he has expressed concern that the increase might constitute a "modification" of the Orders of Condition therefore needing the approval of the ZBA.

I have contacted Gary Rhodes, the Building Commissioner ( the Town's representative responsible for monitoring the Developer's adherence to the Conditions ) and he has stated he would not consider the " willingness " of the Developer to cover the increased cost as a modification to the ZBA's Conditions.

At this point in time it appears that there are two choices:

One, that the Developer's own marketing team handle the marketing and homeowner selection process and reimburse the ACHC for the cost of hiring a consultant to oversee/monitor the developer's marketing of the ten units. I would anticipate that consultant services for that would be considerably less than \$ 10,580.00.

Two, for the Developer to express in writing a "willingness" to cover the actual cost incurred by the ACHC for hiring a consultant to complete the process as outlined in OKM's letter of February 5, 1988.

As we have previously discussed verbally whatever plan is finally adopted for the ten units, the ACHC cannot at anytime be financially responsible for any of the units under any conditions.

I realize for the sake of expedience you have instructed OKM to submit a Affirmative Fair Marketing Plan to MHFA. The ACHC will send a letter to MHFA acknowledging the submission but stating the approval by MHFA needs to be on condition the ACHC formally adopts the Plan for the Town of Acton.

After you and Mr. Slattery have had an opportunity to review the contents of this letter please respond in writing on your decisions to :

Mr. David Hartwell  
President  
Acton Community Housing Corporation  
Box 681  
Acton, Ma. 01720

The next scheduled meeting of the ACHC is September 7, 1988 at which time you and Mr. Slattery need to meet with the Board Members to discuss the Affirmative Fair Marketing Plan, the marketing/homeowner selection process that has been decided upon and other relevant matters.

Thank you in advance for your anticipated cooperation in these matters.

Sincerely,

Naomi E. McManus  
Secretary, ACHC  
CC: Acton Selectmen  
Gary Rhodes  
Cindy LaCasse



DON P. JOHNSON  
TOWN MANAGER

# TOWN OF ACTON

TOWN HALL

472 MAIN STREET

ACTON, MASSACHUSETTS 01720

TELEPHONE (617) 264-9612

## BOARD OF SELECTMEN

WILLIAM F. WEEKS, CHAIRMAN  
CHARLES E. KOSTRO, JR., VICE-CHAIRMAN  
NANCY E. TAVERNIER, CLERK  
F. DORE HUNTER  
DONALD R. GILBERTI

October 21, 1988

Mr. David Hartwell  
Chairman  
Acton Community Housing Corp.  
Box 681  
Acton, MA 01720

Dear Mr. Hartwell:

The Acton Board of Selectmen in their regular meeting of October 4, 1988 voted unanimously to designate the following individuals as special municipal employees serving as members of Acton's Local Housing Partnership (Acton Community Housing Corporation). This designation is for conflict of interest purposes under Chapter 268A of the Massachusetts General Laws.

It is also the Selectmen's intent that the ACHC members, when acting within their public purposes as directed by the Selectmen in the ACHC's Mission Statement (see attached copy), will be provided liability protection in accordance with Chapter 258 of the Massachusetts General Laws. When functioning in this capacity the members of ACHC will be included as public officers and employees for liability insurance purposes.

### Members of ACHC:

Sandy Bayne  
Steven Day  
Bill Gothorpe  
David Hartwell  
Charles Kostro  
Kevin McManus

Naomi McManus  
Jana Mullin  
Marlin Murdock  
Roy Smith  
Ric Black

Sincerely,

William Weeks, Chairman  
ACTON BOARD OF SELECTMEN

294(2)  
Enc.

ACTON COMMUNITY HOUSING CORPORATION

BOX 681

ACTON, MASSACHUSETTS, 01720

Mr. Steven R. Graham  
360 Massachusetts Avenue  
Acton, Ma. 01720

Dear Mr. Graham:

On September 7, 1988 the Board Members of the Acton Community Housing Corporation during a Regular Meeting voted unanimously in favor of the concept of your development, North Acton Village. The Board has instructed me to notify you of that decision and to request that you forward \$ 7500.00 which will be used by the ACHC to hire a consultant and to defer the ongoing administrative cost incurred by the ACHC.

Upon receipt of the \$ 7500.00 the Board will engage the services of a consultant and begin an in depth review of the project. That review process will consist of the consultant's review and recommendations as well as the written reviews of the Town's Departments and Boards regarding the project. Once all this information is received and reviewed the ACHC will meet with the Development Team to finalize the ACHC's recommendations to the Board of Selectmen and the Zoning Board of Appeals.

Thank you in advance for cooperation with the Members of the ACHC as we strive to meet the challenges of developing " Affordable Housing" in Acton while being mindful of the growth impacts on the Town.

Sincerely,

Naomi E. McManus  
Secretary,  
Acton Community Housing Corporation

cc. Selectmen  
Roland Barth

ACTON COMMUNITY HOUSING CORPORATION

BOX 681

ACTON, MASSACHUSETTS 01720

December 1, 1988

Mr. Maurice Corman  
Chairman  
Housing Appeals Committee  
100 Cambridge Street  
Boston, MA 02202

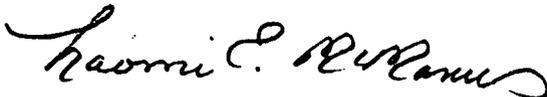
Dear Mr. Corman:

Enclosed please find two letters which I intended to give you at the "Appeals Hearing". I am forwarding these for your information only as I understand there was some discussion regarding the Acton Community Housing Corporations' (ACHC) request "of up to \$10,000 " from L & S Builders. I hope that these might clarify the ACHC's position. I have also enclosed a breakdown of the time that a local partnership expends.

Again I hope you realize that Acton is a Community that is trying to provide "Affordable Housing" for all income levels.

Thank you for your efforts and your guidance at the "Appeals Hearing" on November 28, 1988.

Sincerely,



Naomi E. McManus  
Clerk, ACHC

Enc.

1989

# Letters

## Low cost housing

Are we a community that meets the needs of only those who can afford to live here? Have we closed our community and our minds to those who cannot begin to afford to live here or continue to live here? What about our citizens who are down in their luck, single parents struggling to get along and the poor (YES, we have poor in Acton)? Should they seek help and support from other communities?

Home ownership costs are an increasing percentage of a typical home buyers income. In the 70s it was 10 percent, in the 80s it's 34 percent. The average sale price of a single family home in Acton in 1988 was \$260,400. Incredible! Could you afford to buy a home in Acton today?

Housing prices for both new and existing houses have increased to the point that your own children can't afford to establish their homes here. Acton's public employees can't afford to live here. Should we tell our older citizens who live on fixed incomes that they should sell their homes and move somewhere else because they can't afford the taxes? They have large equity in their homes, but not sufficient cash for living expenses. If they opt to sell, recovering their equity, they could not buy anything smaller or less expensive.

So what can we do? We need to encourage affordable housing, while at the same time maintaining Acton's unique community character. Affordable housing needs to be part of an overall growth management strategy created by the town of Acton and embodied in its Master Plan.

We need your input in developing those guidelines! Choices need to be made regarding mechanisms for introducing affordable housing and for identifying sites most suited for such housing. The Acton Community Housing Corporation (ACHC) works very hard to attract affordable housing developers, and then works with them to ensure that the highest amount of affordability is achieved without compromising Acton's planning standards. But they need help and guidance! What should our planning standards be?

How do you feel about single family homes vs. multi-family structures and/or cluster developments? What about cooperative ownership vs. single ownership? Do you think it's all right for the elderly to add accessory apartments on to their homes to generate additional income? As you can see there are many possible ways to go about developing

affordable housing. Do you want to make the decisions or do you want others to do it? These are decisions that will affect you, your children, and your parents. The Planning Council cannot and should not answer these questions alone. But the council can assure that the appropriate information is made available to you and that you have an opportunity to be heard.

Your investment of a few evening hours can make a difference to you and your town's future. The Planning Council invites you to the following town meetings, scheduled at 7:30 p.m. at the new Town Hall for your convenience.

- Kickoff Meeting - Townwide May 3, 1989
- South Acton Meeting - May 10, 1989
- North, East Acton and Acton Center Meeting - May 17, 1989
- West Acton Meeting - May 24, 1989

Please come and participate. We need you. Those that are fortunate enough to be living in this community have an obligation to all its citizens.

Pamela J. Bartle  
Planning Council member  
Acton

# Master Plan: Affordable housing overlay done

By Jill Pontius  
Staff writer

1990  
ACTON — Another step has been taken in the town's continuing effort to control its future. At an Oct. 15 public hearing at Town Hall, specific zoning changes will be recommended to offer more affordable housing to those with moderate and low incomes.

Reasons for this initiative, proposed by the Planning Council and prepared by consultants and town planner Roland Bartl, are plentiful.

According to Anne Fanton, chairman of the long-range Planning Council, approving the zoning changes at Town Meeting on Nov. 28 would give townspeople "the opportunity to help ourselves and others." Benefits would include a more diverse population and taking some responsibility for regional housing needs. Open space would be preserved by breaking the pattern of building more and more large, expensive houses on large lots. "The affordable housing options are tied directly into the town's open space bylaw and Master Plan goals," said Bartl.

Many town employees — teachers and police for instance — do not earn enough money to buy a home in Acton.

Acton has a legal responsibility as well. Years ago, in the Anti-Snob Zoning Act, the state set a goal for every community. Ten percent of the housing stock must be within the financial reach of moderate- and low-income people.

By proceeding with its own affordable housing plan, town zoning bylaws will be much less vulnerable to a state override via comprehensive permits, Fanton said. That process essentially allows individual subdivision builders to dictate where affordable housing will be built. Ultimately, a community's noncompliance can lead to withdrawal of state funds, including those targeted for road work.

The current affordable housing stock is less than 3 percent of the total. Government subsidies are inadequate, so the new recommendations rely on optional density bonuses for the private sector to help bring the town up to the 10 percent goal.

In the marketplace the cost of housing is tied to the cost of land. The greater the number of homes permitted per parcel, the less each can cost buyers. To receive the zoning bonus, builders would have to reduce the cost of some units in line with a flexible formula set by the government. Builders also would have to set aside a portion of the land as permanent open space for the homebuyers and perhaps all town residents.

## The bonuses

Two layers make up the affordable housing proposal, which is presented as a map overlay. A moderate density bonus offers a maximum increase of 25 percent over current zoning, if at least 10 percent of the units are affordable, Bartl said.

For example, a parcel on which 24 units now can be built could have 30 houses if three are affordable. This would keep Acton from sliding backwards from the 10-percent goal. The overlay shows these parcels are scattered around Acton.

Up to five units per acre would be permitted in the second type of bonus. Affordable homes would make up an average of about 30 percent of the projects.

"Obviously, fewer parcels would be subject to these changes," Bartl said. "That is where we target real gains."

These denser parcels are generally located near the outlying village centers: north, south, east and west, as designated by zoning. One such property is the Diduca land in East Acton.

Acton Center, the area around Town Hall, would not be affected. "At the Master Plan hearings, people were concerned about the scenic value of the center," Bartl explained. Other parcels are shown near Powder Mill Plaza on Route 62 and near Kelley's Corner, in the routes 27 and 111 area.

Another provision would allow

some duplexes to be built if design and affordability conditions are met.

## Qualifying homebuyers

"We deem moderate income as anything between 80 percent and 120 percent of the median income in the greater Boston area," explained Bartl. "The median income is about \$45,000 annually per household, so 120 percent is \$52,000 to \$53,000.

"A household with that income could not afford to buy an average-priced home in Acton," he continued. "That is why we're going all the way up."

State law requires, however, that the average of all the affordable homes in town be within the reach of buyers with an income that is 80 percent of the \$45,000 median. The Planning Board will be responsible for maintaining that average.

Targeted groups are first-time home buyers as well the elderly who meet certain qualifications. "But in theory, anyone who once owned a home would be eligible if they meet the conditions," Bartl said.

ACTON COMMUNITY HOUSING CORPORATION

BOX 681

ACTON, MASSACHUSETTS 01720

March 22, 1989

Monte Franke  
OKM Associates, Inc.  
164 Canal Street  
Boston, MA 02144

RE: Minutes of Second Long-Range Planning Session

Dear Monte,

Enclosed please find the agenda and minutes of the March 1, 1989 ACHC meeting where long-range planning was discussed. I prepared the agenda and served as facilitator at the meeting, drawing on your work as facilitator of previous meetings of the Board.

The meeting went quite well with several issues, such as the ACHC's role in the marketing process and whether to create subcommittees, getting resolved. Unfortunately, I was surprised by disagreement over whether the ACHC should take on greater responsibility in the development of new housing as opposed to focusing on assuring that current developments are built and marketed. These two issues are not mutually exclusive and I had assumed that they would be pursued by working subcommittees of the Board, but that was not the consensus of those members at the meeting. I am confident though that this issue will be resolved in future meetings with the Community Opportunity consultant working on long range planning for the ACHC.

Thank you so much for your help in updating me on previous long-range planning meetings, our conversations were very useful.

Sincerely,

Bryan Wyatt



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**Community Opportunities Group, Inc.**

661 Boylston Street  
Boston, Massachusetts 02116  
617-266-6234

Town of Acton  
Potential Affordable Housing Strategies  
19 April 1989

**I. ZONING**

**1. Inclusionary Housing**

In its simplest form, inclusionary zoning provides an incentive - bonus units - to a developer of a residential project to provide a certain number of units in the project.

- o What is the potential impact? How much land in Acton is undeveloped?
- o What percentage of affordability is a reasonable requirement? In other words, the requirement cannot be such that it renders the project financially unfeasible and the developer proceeds with an as-of-right development with no affordability component.

In HOP projects requiring 30% affordable units, the increased density may commonly range from 2 - 4 times greater than that allowed by right. In addition, there is below market financing available to the homeowner.

- o How is affordability defined? What are the target income groups?

The Town may use the State definition of low and moderate income or may choose to expand its targeted group to include middle income households (those earning up to 120% of median income).

- o What options does the developer have to meet the affordability requirement? i.e. Provide affordable units on site; Provide affordable units off site; Make a cash payment in lieu of units; Donate land to the Town.

Many communities provide flexibility in their bylaw and offer these options upon approval of the Special Permit Granting Authority.

Affordable units may be donated to the local Housing Authority (if State funding is available), sold or rented to income-eligible households (defined

locally) or sold to the Housing Authority through the C.705 program.

- o If cash payment in-lieu of units is allowed, how will this be determined?

The basic concept is that the cash payment should be roughly equivalent to the cost of providing the required affordable units.

- o How will affordability be maintained and for how long?

For example, the HOP program ensures long-term affordability through a deed restriction which remains in effect for 40 years.

## 2. Linkage

Linkage requires developers of commercial and industrial developments to provide affordable housing or equivalent cash contributions as a condition of the granting of a special permit. Basic features of a proposed linkage policy are described below.

In return for a specified payment, a developer receives the right to build additional floor area beyond that allowed by right. As in a residential project, the bonus must be sufficient, relative to the payment, to make it financially feasible.

With regard to the amount of payment, there are two general options: 1) a flat dollar amount per square foot of floor area, and 2) an amount based upon a specified percent of project cost. Boston uses a flat dollar rate of \$5.00 per square foot to be allocated to housing. Waltham's impact fee is \$1.00 - \$3.00 per square foot for additional development above that allowed by right. The second approach is based on a percentage of the construction cost for the additional building area, i.e. 5%. The cost of construction would be determined by the Special Permit Granting Authority and the Building Department.

The payment is made to a Housing Trust Fund to be utilized for affordable housing.

Discussion of the legal issues is warranted. Linkage is a type of impact fee. Cambridge and Boston both have linkage programs tied to affordable housing.

Waltham has an impact fee program relating to traffic and infrastructure. There is disagreement among professionals as to whether communities have the statutory authority to adopt a linkage bylaw. The Metropolitan Area Planning Council (MAPC) states: "While the legal questions have not been definitely resolved, it appears that in every municipality but Boston, inclusionary zoning programs or linkage regulations will withstand a legal challenge if the ordinance which sets up the program is properly drafted and if careful consideration is given to the key legal issues", Inclusionary Housing and Linkage Programs in Metropolitan Boston, 1986.

According to MAPC, an inclusionary housing or linkage program would likely withstand a constitutional challenge by observing four important standards related to the issues of taking, due process, and equal protection:

- o A bylaw or ordinance should allow for some form of development by right, and allow for economically feasible developments;
- o The inclusionary housing or linkage requirement should be based upon at least a general review of local housing need, and the level of linkage payment, in particular, should be related to the estimated impact of the development.
- o The inclusionary housing programs should stress the development of units on site, as much as possible; and,
- o Ordinances or bylaws should have a clear rationale for any selectivity in the application of the program requirements.

There is presently a proposed Impact Fee Enabling Act before the House Local Affairs Committee.

Legal counsel should be retained to assist the Town should this provision be pursued.

### 3. Subdivision Standards

Reducing excessive subdivision standards relating to street width, drainage and infrastructure requirements reduces the cost of housing development. The concept is that the cost-savings are passed on to the homebuyer.

The Acton Planning Board is presently reviewing its Subdivision Rules and Regulations utilizing new ITE standards.

4. Comprehensive Permit

A primary vehicle for creating affordable housing in the state has been the use of Comprehensive Permits (Chapter 774 of the Acts of 1969 as described in M.G.L. Chapter 40B).

The law provides for "comprehensive permits" that allow for the development of subsidized low or moderate income housing. These permits are reviewed by the local Board of Appeals following a public hearing and may allow exemptions from local zoning and other regulations including allowable density. If certain housing need thresholds are not met, a developer may appeal the ZBA decision to the State Housing Appeals Committee (HAC) when the permit is denied or includes conditions that may render the project economically unfeasible. Housing need thresholds are: (1) subsidized low or moderate-income housing in excess of ten percent of the housing units; (2) 1 1/2 percent or more of the total land area zoned for residential, commercial or industrial use utilized for subsidized low or moderate income housing; or (3) the applications would result in the commencement of construction of such housing on sites comprising more than 3/10 of 1% of such land area or ten acres, whichever is larger, in any one calendar year.

Given that these applications may only be denied by the local Board of Appeals for health and safety reasons, in the absence of these, it is in the best interest of the community to negotiate with the developer to structure the type of project that best meets the Town's housing objectives and legitimate planning concerns. Although the community may not reject an application due to general opposition, it may impose reasonable restrictions on the size, site planning or other characteristics of the project to the extent that these conditions are supported by objective evidence. Negotiations may also include such issues as the type of housing unit, bedroom count, buffers, and land set aside for conservation or a play area. The Town of Acton has established Development Guidelines for review of Comprehensive Permit and other affordable housing projects pending approval by the Board of Selectmen and ACHC.

5. Special Uses: Lodging Houses, Single Room Occupancy, Congregate Facilities

Acton could modify its zoning bylaw to allow these special uses in appropriate locations via special permit or licensing. These uses provide a greater diversity of housing options.

6. Accessory Apartments

The Town of Acton presently allows accessory apartments by special permit. To encourage the creation of accessory apartments, it is suggested that accessory apartments be allowed by right provided certain requirements are met in order to protect the quality of existing neighborhoods and minimize adverse impacts. The types of provisions are outlined below.

- o Full or Accessory Conversions: Some restrict the size of the additional unit, requiring that it be clearly subordinate. Such subordinate units are the so-called "accessory apartments". Acton's bylaw allows a maximum size of the accessory unit of 800 square feet.
- o Owner Occupancy: Many allow conversions only by owners who live in or intend to live in one of the units. Others also require that the additional unit be occupied by a relative. Acton's bylaw presently requires that one of the units is owner-occupied.
- o Age Restrictions: Often, only homes built before a certain date are eligible. Acton's bylaw presently specifies May 7, 1984.
- o Restrictions on Exterior Alterations: Some limit the changes to the outside appearance, in order to maintain the "single-family character" of the home and neighborhood.
- o Minimum Building Size: Some require that the original structure be a certain size.
- o Minimum Unit Size: A number require that the converted units be a minimum size.
- o Minimum Lot Size: Some require that the lot be a certain minimum size in order to be eligible.

- o Parking Requirements: Some specifically require a minimum number of off-street parking spaces.
- o Capping the Number of Units: Some limit the total number of permits which can be issued under the bylaw.
- o Septic System Requirements: A number require Board of Health review and approval of the existing septic system.
- o Amnesty for Illegal Units: One community, the Town of Lexington, included in its bylaw a process for legitimizing existing nonconforming or illegal units.
- o Incentives for Affordable Conversion: The Town of Lincoln has adopted incentives in its bylaw for owners who agree to rent to eligible households within a specified rent level.

#### 6. Shared Living Arrangements

Shared living or homesharing is an arrangement in which two or more unrelated persons or households share one unit. It usually requires only limited adaptations to existing stock, often a single room with access to kitchen and bath provided. Homesharing can expand the use of a community's existing housing resources, and is especially applicable where large, older homes exist.

As households age and people's needs change, older persons living alone, or aging couples without children, may find themselves with "too much" space for their needs, yet they do not want to move or are not able to afford alternatives to accommodate a separate unit. Even beyond shared elderly housing opportunities, communities can also eliminate restrictive "family" definitions and allow unrelated persons to share living space. Acton's bylaws presently define a "family" as "A person or number of persons occupying a DWELLING UNIT and living as a single housekeeping unit, provided that a group of six or more persons shall not be deemed a FAMILY unless at least half of them are related by blood, marriage or adoption, including wards of the state".

Homesharing can provide housing opportunities for persons or households other than the elderly who need low-cost housing or supportive services for independent living:

- o Low or moderate income households seeking to reduce their housing costs through a shared living arrangement.
- o Single people without the resources to afford a more conventional apartment.
- o Single-parent households needing inexpensive housing or child care services.

## II. REGULATORY

### 1. Condominium Conversion Controls

The purpose of condominium conversion controls is to control and regulate the conversion of rental housing to condominiums or full equity cooperatives to protect tenants, to slow the conversion of low and moderate-income apartments to higher-priced housing, and to preserve existing affordable housing stock.

Condominium conversions are regulated by state law. Chapter 527, Acts of 1983, requires those converting existing rental buildings containing four or more units to provide certain protections of existing tenants:

These protections are: written notice of the intent to convert; limits on the amount rent can be increased; a guaranteed right to purchase a unit; and relocation benefits.

Acton also passed local condominium conversion ordinances in 1981 and 1987. Acton's ordinance includes provisions for: notice of intent to tenants; a period of time before vacating the unit is required; the right to purchase the unit at the same or more favorable terms as offered to the public; relocation benefits; assistance to elderly, low or moderate income, and handicapped tenants to locate comparable rental housing in Acton; and extended notification periods for the elderly, low and moderate income, and handicapped tenants. Buildings containing four or fewer units and buildings containing five units with one unit owner-occupied are exempt from the above descriptions.

To date condominium conversions permits have been issued by the Acton Board of Selectmen when 10%-20% of the units have been offered to the Acton Housing

Authority at a purchase price established by EOCD. This provision, however, is not included in the ordinance. Town Legal Counsel has recently reviewed a set of draft conversion regulations incorporating this provision and has reached no conclusion on its validity.

The Town should consider amending the present condominium conversion controls to incorporate this provision and others. Communities may adopt more stringent conversion regulations than the state law by a 2/3 vote by the local legislative body.

Other provisions to be considered:

- o Eliminating the exemption for buildings with five units and fewer.
- o Lifetime leases for elderly, handicapped or low income tenants at controlled rents.
- o Requirements which make conversion approval contingent on some proportion of present tenants' commitment to purchase units.
- o Property owners could be required to build replacement rental housing, or contribute to a fund for future affordable housing development.
- o Property owners could be required to first offer tenants the option to purchase the building and convert it to a limited equity cooperative.
- o Property owners could be required to subsidize unit purchases by lower-income tenants to retain some units as affordable.

Communities may need to provide technical assistance and/or secure additional subsidies for tenants to ensure that some proportion of the newly converted units remain affordable or conversion to limited equity condominiums or cooperatives is feasible.

Legal counsel should review any proposed changes to assure provisions are legal.

## 2. Use Covenants and Deed Restrictions

Any units that are publicly-assisted should contain rental use restrictions or resale price controls via

deed covenants, recapture agreements, or ground leases to preserve long-term affordability.

### III. TAXATION POLICIES

#### 1. Exemptions and Abatements

Recently passed state laws (local options) allow communities to:

- o Grant residential improvement exemptions for the value of alterations or improvements to residential properties if the changes were necessary to provide housing for a person at least 60 years of age and who is not the owner of the premises.
- o Defer a portion of the property taxes for elderly homeowners until their residences are sold.
- o Grant hardship exemptions to homeowners who are "elderly, poor, or infirm".

A community may seek home rule authority to extend property tax deferrals to low and moderate-income homeowners or provide exemptions for owners who rent to low/moderate income tenants.

#### 2. Assessment Practices

To reduce the property tax burden on existing affordable housing units, assessing practices could be structured to take into account the lower resale value based on deed restrictions, rather than the potential market value of similar homes.

#### 3. Chapter 121A

Reduced tax agreements could be negotiated with limited-dividend developers of affordable housing, as authorized by state law.

### IV. ALTERNATE OWNERSHIP

#### 1. Non-Profit Housing

Affordable housing can be developed and/or owned by non-profit groups, such as a community based development group or church. The Acton Community Housing Corporation (ACHC) is presently seeking non-profit status. As part of the development of a long

term management plan, the ACHC is now discussing its potential role in affordable housing development.

## 2. Limited Equity Cooperatives

Affordable housing can be in tenure forms other than outright homeownership or rental housing. Limited equity cooperatives are on this "middle path". The concept is international but a number of outstanding examples have recently been developed in eastern Massachusetts. Cooperative housing can be new construction, or single and multi-family homes can be bought by non-profit groups or tenants and converted into cooperatives.

A limited equity cooperative is a form of ownership in which title to the property is held by the member-controlled corporation in which each resident is a shareholder. The resident members elect a board of directors to manage and operate the cooperative. The residents lease their units from the cooperative ownership entity. To preserve the housing as affordable, the equity that members can accrue on the value of their shares is limited. In other words, the market appreciation of the unit is limited.

The formula that determines the resale value is usually outlined in the corporation's bylaws. Depending on the goals of the cooperative, the formula tries to provide a fair return on members' investments while keeping the resale value of the units in the price range accessible to low and moderate income members.

The shares of stock in the value of the building and land purchased by a member are proportional to the size of the space occupied. This purchase is similar to a downpayment but usually costs less - a member also pays a proportionate share of the budget for the cooperative's mortgage, taxes, maintenance, and operating expenses.

Limited equity cooperatives offer distinct advantages. The cooperative is eligible for government subsidies which can reduce purchase costs or provide financing for the building. The legal constraints limiting deed restrictions to 40 years does not apply to the sale of the shares and cooperatives can, therefore, remain affordable for perpetuity. Limited equity co-ops offer specific advantages over rental housing including security, tax deductions and some equity build-up,

while housing costs remain lower in the long run.

3. Limited Equity Homeownership

Limited equity homeownership restricts the resale prices of condominium or single family units similar to limited equity cooperatives. This approach is required through the State Homeownership Opportunity Program (HOP) and could also be built-in to any locally developed programs to preserve affordability. However, deed restrictions used to limit equity can legally only remain in place for 40 years.

4. Community Land Trust

A community land trust (CLT) is a mechanism through which affordability can be preserved for perpetuity.

A community land trust is an alternative tenure concept which separates ownership of the building from that of the underlying parcel of land. This concept is similar to that of a condominium which separates unit ownership from possession of the supporting structure and surrounding land. A CLT is a member-controlled non-profit organization that owns the underlying land and leases its use to the individual homeowners living upon it, typically under a 99 year ground lease. This substantially reduces the cost of homeownership. When owners choose to sell, the CLT has the right to repurchase the dwelling to keep itst affordable to others, thereby permanently exempting such housing from speculative market forces.

The CLT membership is comprised of three groups: residents of the geographic area that the CLT serves; residents of the CLT-owned land; and "public interest" representatives from local government, other service organizations, or those with needed skills.

The CLT membership decides which properties should be purchased and the appropriate use.

When the land acquired by the CLT is vacant, the trust may develop the property itself or work with another non-profit entity to construct affordable housing. The housing can be sold or rented to community residents, or a CLT can lease the land to individuals or groups to develop, within the use limitations set by the lease.

If the land already has buildings or other improvements at the time of purchase, a CLT can help write down the

purchase costs to lower-income households by securing government subsidies, direct grants, favorable lending terms, or in some cases, by organizing volunteer labor to assist with the rehabilitation. The building may be structured as a single unit, condominium, rental unit or cooperative.

A ground lease agreement is the legal mechanism which describes and protects the interest of the CLT and the interests of the homeowner (leaseholder) in the improvements on the land. The homeowner is guaranteed security through lifetime and long-term renewable leases. There is a limited earned equity on the buildings and improvements to the land upon termination of the lease, allowing homeowners to recapture labor and capital investments, based on an agreed upon formula. The homeowner pays a lease fee to the CLT to cover expenses, property taxes, and provide capital for the CLT to purchase additional property.

In most cases, the CLT retains the first option to buy the leaseholder's buildings or other improvements at a predetermined price or at the price fixed by a formula at the time the lease agreement was signed. If the CLT chooses not to exercise its option, the leaseholder may sell the housing unit and the CLT will grant a similar leasehold agreement with the buyer.

The Town/ACHC should consider the use of a community land trust should development of affordable housing proceed on any town or ACHC owned sites in the future. The CLT would ensure that these homes remained affordable in perpetuity.

## **V. PUBLIC LAND DONATIONS**

Many communities are utilizing the donation of Town-owned land as a mechanism to encourage affordable housing by private developers.

As discussed with the Town Planner, Town-owned land in Acton is primarily conservation land. However, the Town may want to consider compiling an inventory of publicly-owned sites, including small parcels and undeveloped portions of larger sites that might be suitable for scattered housing development.

Some communities have proceeded with (i.e. Lincoln) or are considering Town acquisition of private land for the purpose of affordable housing development. The concept of

"limited development", developing a portion of a site and preserving the remainder as open space could be considered when C.61A land is offered for sale to the Town. Funding is necessary, either through an established Housing Trust Fund or local appropriation.

## **VI. FINANCING AND SUBSIDIES**

Various programs are available through the state and federal government to provide financing for affordable housing. These programs are summarized in the Achtenberg study.

There is also extensive resource material available regarding these programs. For further information, refer to two brochures by EOCD, "A Guide to Producing Affordable Housing", and "A Guide to the Massachusetts Housing Partnership".

## **VI. ALTERNATIVE REVENUE SOURCES**

### **1. Real Estate Transfer Tax**

Clearly, many strategies previously discussed require financial resources for implementation. State and federal funding sources are appropriate to address certain needs, however these funds are limited in use, competitive and not guaranteed in the future. A local housing plan can best be implemented with a continuous and flexible revenue stream. The other option instead of linkage is to impose fees on real estate transactions. A proposed real estate transfer tax for open space preservation has failed twice at Acton Town Meeting. The Community may want to reconsider this provision for the two goals of open space preservation and affordable housing.

State legislation has been proposed to grant each municipality the right to impose fees on real estate transactions. Because the bill is enabling legislation, municipalities will need to adopt the legislation locally if it is passed by the State legislature. Under its proposed provisions, the tax revenue generated from local residential property sales would be put into a local fund for housing and open space/conservation projects. The 1988 draft in committee would allow communities to tax real estate transactions at .5 percent or 1 percent of the purchase price. There would be a first-time homebuyer exemption. Communities would be required to set aside

25 percent of those revenues to acquire and maintain open space; and 25 percent to create and manage affordable housing programs. The remaining 50 percent of the land tax revenues would be used for either open space or housing initiatives at the Town's discretion.

The advantages are that the transfer tax would provide resources for the Town to create affordable housing through its own, locally-developed programs. The Town would not be dependent on the State for funds nor restricted to State-established programs.

Resources could be allocated to meet local housing needs through strategies discussed by the Town: construction of new homes or rental units, rehabilitation of existing structures to create accessory apartments, rent subsidies, or establishment of a downpayment assistance program.

Based on residential real estate transactions in Acton, over \$110 million in 1988, it is estimated that over \$550,000 could be generated each year by a .5% transfer tax.

Disadvantages are that the tax might increase the cost of market rate housing, and administrative costs would be incurred to develop housing and open space plans and implement the program.

## VII. HOUSING TRUST FUND

Should a real estate transfer tax, inclusionary housing provision, or other revenue generating mechanism be established, the Town will need to establish a housing trust fund. The trust fund is a vehicle for collecting and allocating revenue earmarked for affordable housing. Local programs, administration and implementation responsibility will have to be determined.

In other communities, such as Lexington, a non-profit organization similar to the ACHC, administers the Housing Trust Fund. The ACHC is presently discussing this potential responsibility as part of its long term management plan.

ACTON COMMUNITY HOUSING CORPORATION

PRO-FORMA INCOME STATEMENT

	PERIOD ENDING	PERIOD ENDING
INCOME:	<u>6/30/88</u>	<u>6/30/89</u>
FUNDRAISING FROM BANKS	\$ 20,000	\$ 0
GIFTS & DONATIONS - OTHER	5,000	4,000
MEMBERSHIPS	500	1,000
PUBLIC GRANTS	8,000	15,000
DEVELOPER FEES	15,000	40,000
PROJECTED INCOME	<u>\$ 48,500</u>	<u>\$60,000</u>
EXPENSES:		
ADMINISTRATIVE PAYROLL	\$ 21,000	\$ 28,800
CONSULTING SERVICES	12,000	21,000
RENT	3,500	5,000
UTILITIES	700	1,200
TELEPHONE	350	600
POSTAGE	100	200
SUPPLIES	650	600
INSURANCE	950	1,000
TAXES	0	0
PROJECTED EXPENSES	<u>\$ 39,250</u>	<u>\$ 58,400</u>
PRO-FORMA INCOME (LOSS)	<u>\$ 9,250</u>	<u>\$ 1,600</u>

ACTON COMMUNITY HOUSING CORPORATION

DEPOSITS

Acton Housing Authority	\$ 2,000
Middlesex Savings Bank	2,000
Shawmut Bank	1,000
Bank of New England	2,000
Kevin Sweeney	5,000
Lexington Savings	<u>1,000</u>
	\$13,000

PAYMENTS

OKM - Consulting to ACHC	\$ 2,043.50
OKM - Consulting to ACHC	1,300.00
OKM - Consulting to ACHC	<u>120.00</u>
	\$ 3,463.00
OKM - Consulting Parker Street	\$ 2,580.00
Miscellaneous Expenses	188.09

ACHC Projection of Cash Flow  
April 1, 1988 to June 30, 1988

Cash Beginning Balance	\$ 6,282.80
Requirements	
OKM - Parker Street	( 2,420.00)
M. Barrett - March	( 300.00)
April	( 600.00)
May	( 600.00)
June	( 750.00)
Estimated Balance as of June 30, 1988	\$ 1,612.80

**ACTON COMMUNITY HOUSING CORPORATION**

**BCX 681**

**ACTON, MASSACHUSETTS 01720**

Nancy Tavernier  
Chairman  
Acton Board of Selectmen  
Town Hall  
Acton, MA 01720

February 7, 1990

Dear Ms. Tavernier,

The Acton Community Housing Corporation is actively searching for town owned and or state owned land which could be developed for affordable housing. One parcel of state owned land, which is controlled by the MA. Department of Public Works, has come to our attention. This land is approximately 15 acres in size and located at the junction of Hosmer Street and Route 2, and on property maps of Acton is parcels 197 and 198 on map G-4.

We would appreciate it if the Board of Selectmen would send a letter to the MA. Department of Capital Planning and Operations (DCPO) requesting that this land be conveyed to the town. DCPO is the agency which disposes of all state owned land. The address and appropriate person to send the letter to is;

Tom Younger  
Office of General Counsel  
Ma. Department of Capital Planning and Operations  
1 Ashburton Place, Room 1505  
Boston, MA. 02108

Please call Bryan Wyatt, our shared housing planner, at 263-2806 if you have any questions regarding our interest in this parcel and its suitability for affordable housing.

Sincerely,



Roy Smith  
Chairman  
Acton Community Housing Corporation



**ACTON COMMUNITY HOUSING CORPORATION**

Box 681  
Acton, Massachusetts 01720

JUL 10 1990



DRJ  
7/12

Dore' Hunter  
Chairman  
Acton Board of Selectmen  
Town Hall  
Acton, MA 01720

July 6, 1990

Dear Mr. Hunter,

Enclosed for your endorsement is the current membership list of the Acton Community Housing Corporation Board of Directors. If the Board of Selectmen have questions regarding the current makeup of the ACHC, please contact me at 263-2806. Thank you in advance for your cooperation.

Sincerely,

Bryan Wyatt  
Partnership Planner  
ACHC

CC: ROY W. -

PLEASE SEE THAT THESE NAMES ARE INCLUDED AS SPECIAL EMPLOYEES OF THE TOWN AND THAT THEY ARE LISTED ON ANY LIST OF PEOPLE COVERED BY LIABILITY INSURER.

CC: BOS - NO FURTHER ACTION REQ'D BY BOS.  
(ACHC) INFO.

ACTON COMMUNITY HOUSING CORPORATION

Membership List

Sandy Bayne  
4 Myrtle Drive  
Acton, MA 01720  
263-3648

Peter Berry  
39 Faulkner Hill  
Acton, MA 01720  
(617) 451-1250 x268 work  
264-0265 home

Steven Day  
5 Hennessey Drive  
(617) 727-1538 or  
727-1539 work  
263-6983 home

Bill Gothorpe  
60 Conant Street  
Acton, MA 01720  
(617) 862-1775 work  
263-3897 home

Charles Kostro  
12 Lothrop Road  
Acton, MA 01720  
(617) 722-1120 work  
263-7800 home

Nancy Tavernier  
35 Mohawk Drive  
Acton, MA 01720  
263-9611 home

Bryan Wyatt  
(Partnership Planner)  
263-2806

Kevin McManus  
15 Deacon Hunt Drive  
Acton, MA 01720  
1 - 798-6046 work  
263-3738 home

Naomi McManus  
15 Deacon Hunt Drive  
Acton, MA 01720  
263-3738 home

Jana Mullin  
74 Alcott Street  
Acton, MA 01720  
369-3034 work  
263-0877 home

Marlin Murdock  
5 Wachusett Drive  
Acton, MA 01720  
1 - 798-6534 work  
263-0923 home

Roy Smith  
P.O. Box 519  
Acton, MA 01720  
263-0011 work  
369-4080 home

Bob Wiltse  
126 Parker Street  
Acton, MA 01720  
263-6738



**Shawmut**

Elizabeth A. Komachi  
Area Vice President

July 31, 1991

Ms. Betty McManus  
Acton Community Housing  
P.O. Box 681  
Acton, MA 01720

Dear Ms. McManus:

On behalf of Shawmut Bank, I am pleased to forward our check for \$1000 to develop affordable housing alternatives in the Town of Acton.

Shawmut Bank, N.A.'s grant-making policy requires a written progress report on the use of these funds within 90 days of your receipt. The report need not be lengthy, but should include a program update and your signature.

We are delighted to be part of this most worthy endeavor. We at Shawmut are proud to have participated in the project. Best wishes for continued success.

Sincerely,

Elizabeth A. Komachi  
Vice President

EAK/sd  
Enclosure

cc: Dinah Waldsmith

Betty McManus  
Acton Community Housing Corporation  
Box 681  
Acton, Massachusetts 01720

Dear Betty:

I really enjoyed seeing all the ACHC board members again at the retreat this past week. It reminded me of what a special group of people you are. Many groups in that situation might have given up and folded, but you seem to have found a renewed sense of commitment and direction. Thanks for letting me be a part of that.

I am returning the copy of the ACHC business plan you lent me.

Best wishes on your new project. Please keep me informed of your progress.

Sincerely,



Monte Franke  
Vice President

ACTON COMMUNITY HOUSING CORPORATION

BOX 681

ACTON, MASSACHUSETTS, 01720

263-47766

November 4, 1991

Ms. Elizabeth A. Komachi  
Vice President  
Shawmut Bank, N.A.  
1822 Massachusetts Ave.  
Lexington, Ma. 02173

Dear Ms. Komachi:

On behalf of the Acton Community Housing Corporation (ACHC) I want to thank you for your efforts in securing a \$1000.00 grant from your bank to help us in our work towards facilitating the development of low and moderate income housing in the town of Acton. The ACHC was created by the Board of Selectmen to serve as the town agency charged with the responsibility to look to housing needs of the low and moderate income residents.

Your generous donation will help defray the administrative costs associated with our efforts. As with most towns these days, budget cuts have left our entirely volunteer organization with no operating funds coming from the town. In dealing with community outreach programs, of necessity, there are mailing, photocopy, and telephone expenses that must be paid. In addition there are occasions when projects are brought to us for evaluation which require that we engage an outside consultant to assist us in the technical review. These expenses are often ultimately picked up either by the developer or a project specific state grant, but may require up front funding to get things moving that would not be possible without a small pool of funds from sources such as Shawmut.

As we continue our work throughout the year we will report to you on our specific progress or lack of it, and hope that you feel your money was well spent. Again, thank you for your kind support, without which the low and moderate income housing needs of Acton would be left to chance.

Sincerely,

William Gothorpe  
Chairman  
Acton Community Housing Corporation

ACTON COMMUNITY HOUSING CORPORATION  
BOX 681  
ACTON, MASSACHUSETTS 01720

Margaret Poirier  
Shawmut Bank, N.A.  
411 Massachusetts Avenue  
Acton, MA. 01720

May 8, 1991

Dear Ms. Poirier,

Enclosed are last year's (7/1/89 - 6/30/90) and the projected year's (7/1/91 - 6/30/92) budgets for the Acton Community Housing Corporation (ACHC) as you had requested last week.

The Town of Acton has designated the ACHC as its official representative in the affordable housing development process. The ACHC, a non-profit tax exempt organization, works with private developers in the planning, development and marketing stages of affordable homes. It is the organization responsible for monitoring and insuring that these affordable homes remain affordable to low and moderate income families over the long term. Your \$5,000 contribution would insure our continued ability to fulfill this role and also would be received as a positive action by your bank for future Community Reinvestment Act reviews.

Please call me at 263-4776 if you have questions or comments. Thank you in advance for your community support.

Sincerely,

Betty McManus  
Clerk  
Acton Community Housing Corporation

ACTON HOUSING AUTHORITY  
P.O. BOX 681  
ACTON, MA. 01720  
(508) 263-5339  
TDD #-1-800-5451833 EXT.120

February 26, 1992

Mr. Norman Lake  
Chairman, Acton Board of Selectmen  
Acton Town Hall  
Acton, Ma. 01720

Dear Norm:

I am writing to clarify what appears to be a misinterpretation by others in attendance at the February 18th Public Hearing for Audubon Hill with regard to comments made by Members of the Acton Housing Authority or the Acton Community Housing Corporation.

To this end it is important to first review the chronological order of events that led up to that Open Meeting.

1). October 9, 1991

A.H.A.'s Executive Director asked for the Acton Community Housing Corporation's assistance in exploring possible ideas to exercise The Right of First Refusal Options for five (5) Audubon Hill units held by AHA without the purchase monies promised by the State.

(excerpts of ACHC's Board Minutes attached)

2). November 20, 1991

Bill Gothorpe and Kevin McManus reported back to ACHC's Board on three possible options for consideration.

(excerpts of ACHC's Board Minutes attached)

3). January 6, 1992

ACHC's Members made formal presentation to AHA's Board. AHA's Board voted to support the concept of Option #1.

(AHA's Board Minutes attached)

4). January 7, 1992

AHA & ACHC present option #1 to Selectmen( see ACHC's memo to Selectmen attached ) At the time of the presentation I also informed the Selectmen that the Developer had offered two of the five units to the AHA for \$1.00 each in exchange for not exercising their rights to the remaining three. The ACHC stated should Option #1 be accepted by the Town the ACHC would reimburse the Town for the legal expenses incurred in altering the original Audubon Agreement.

After the ACHC's presentation we understood the Selectmen took the proposal under advisement and instructed Town Staff to review

and make recommendations at a later date. From that Selectmen's meeting to February 18th the Housing Boards assumed the "negotiations" being conducted would resemble the original option or at the very least the two units would be deeded outright to the AHA.

5). February 18, 1992

Town staff made its formal presentation at an Open Hearing. I am acutely aware now, that other than the members of the Housing Boards, none of the audience at that Hearing knew this history. Thus, without knowledge of what had gone on before, the "mild" surprise expressed by the ACHC and the AHA was left for misinterpretation. What would another Board's reaction have been when their valuable vested interest was not the final outcome? The AHA had asked for the cooperative efforts of all in protecting the Right of First Refusals for the Town and in the final outcome we have lost all!

Norm, this has been difficult for me personally. For the first time I have felt the concerted efforts of the Authority and the ACHC to work in partnership with the Town have failed. Failed in the fact that the history of our request did not become common knowledge. This is a travesty. It has strained an excellent working relationship between the Director of the Council on Aging, the COA's Board and the Authority's Board and Staff. The COA was "appalled" at the reaction of the Housing Boards at the Public Hearing. After a lengthy conversation with the Director of the COA I believe I have repaired that valuable relationship. I look to you and the other members of the Selectmen to assist in dispelling any other perceptions by those in attendance at that meeting that the Housing Boards would look only to their own self serving interests. I and other Members of the Housing Boards recently explained to Town staff that the housing committees would never become obstructionist in the construction and the financial operation of "our" much needed Senior Center. Our innocent request for assistance to protect those valuable Right of First Refusal Options almost escalated into an irreversible rift.

On March 2nd the Acton Housing Authority has invited the COA's Chairman, Vice-Chairman and its Director to our Regular Meeting for the purpose of clearing the air. It is hoped that a joint proposal on the dispersement of the \$130,000 ear marked for Elderly purposes as outlined in the Third Agreement of Audubon Hill can be developed and approved for the additional endorsement of the ACHC. We hope this proposal will prove valuable to the Selectmen in their final decision on the dispersement of the funds.

I have learned an important lesson. Thank you for the opportunity to explain in writing the positions of your Town's Housing Committees.

Sincerely,

cc. Council on Aging  
Acton Community Housing Corporation

### THIRD SUPPLEMENTAL AGREEMENT

This Agreement (the "Third Supplemental Agreement") is made as of the 18th day of February, 1992, by and among the Town of Acton, Massachusetts (the "Town"), a Massachusetts municipal corporation, having a usual place of business at the Acton Town Hall, Acton, MA 01720, acting by and through its Board of Selectmen under the terms and conditions of a certain Comprehensive Development Agreement (the "Comprehensive Development Agreement") dated as of June 23, 1989, and recorded in Book 19966, Page 008 with the Middlesex South District Registry of Deeds, and a Supplemental Agreement (the "Supplemental Agreement") dated as of October 27, 1989, and recorded in Book 20205, Page 227 with said Deeds, and a Second Supplemental Agreement (the "Second Supplemental Agreement") dated as of August 26, 1991 and recorded in Book 21513, Page 494 with said Deeds (the Comprehensive Development Agreement, as supplemented by the Supplemental Agreement and as further Supplemented by the Second Supplemental Agreement, hereinafter called the "Agreement"), the Acton Housing Authority (the "AHA"), having a usual place of business at Acton Town Hall, Acton, MA, R. Smith Associates, Inc. (the "Developer"), a Massachusetts corporation having a usual place of business at 292 Great Road, Acton, MA 01720, and Boston Federal Savings Bank (the "Lender"), having a usual place of business at 17 New England Executive Park, Burlington, MA 01803.

#### RECITALS

Reference is hereby made to the following facts:

A. The Town and the Developer entered into the Agreement in order to set out the terms and conditions under which the Development Property (as defined in the Agreement) would be developed.

B. Section 3.3(c) of the Comprehensive Development Agreement requires that at least thirty five (35%) percent of the Units constructed on the Development Property be sold and resold as "Restricted Units" as defined in the Agreement.

C. Section 3.3(f) of the Comprehensive Development Agreement requires the Developer, as part of the thirty-five (35%) percent Restricted Unit requirement, to convey five (5) units to the AHA for the price of Sixty Five Thousand Dollars (\$65,000.00) for each unit. The AHA has given the Developer a deposit of Ten Thousand (\$10,000) Dollars and the Developer has given the AHA recorded Rights of First Refusal to purchase said five (5) units, which were attached to the Comprehensive Development Agreement and recorded in Book 19966, Page 254 through Page 278, with said Deeds.

D. Article V of the Comprehensive Development Agreement requires the Developer to construct a Senior Center as a common area and facility in the Condominium and to lease the Senior Center to the Town upon the terms and conditions as set forth in the Agreement.

E. The Developer has created the Audubon Hill South Condominium by Master Deed dated November 15, 1990, recorded November 20, 1990, in Book 20875, Page 79 with the Middlesex South District Registry of Deeds (the "Master Deed"). Section 9.2 of the Master Deed indicated that Unit Numbers 1, 6, 8, 10, 13, 14, 17, 18, 23, 27, 31, 38, 48, 2, 4, and 25 would be "Restricted Units" in partial satisfaction of Section 3.3 (c) of the Comprehensive Development Agreement and that Unit Numbers 2, 4, and 25 (the "A.H.A. Restricted Units") would each be conveyed to the Acton Housing Authority for the price of Sixty Five Thousand (\$65,000.00) Dollars in partial satisfaction of Section 3.3(f) of the Comprehensive Development Agreement.

F. The Developer and the Town, by execution of Amendment No. 1 to the Master Deed of Audubon Hill South Condominium ("Amendment No. 1") recorded as Instrument No. 51 of July 26, 1991, in Book 21311, Page 176, with said Deeds removed Unit 38 as a Restricted Unit and substituted Unit 29 as a Restricted Unit. The Developer and the Town by execution of the Second Supplemental Agreement modified the development scheme by removing Units 23, 27, 29 and 31 of the Audubon Hill South Condominium as Restricted Units and agreeing to substitute Units 125, 127, 130 and 132 as Restricted Units at the time of the creation of the Audubon Hill North Condominium. The Second Supplemental Agreement also removed Unit 25 of the Audubon Hill South Condominium as a "A.H.A. Restricted Unit" and agreed to substitute Unit 130 as a "A.H.A. Restricted Unit" at the time of the creation of the Audubon Hill North Condominium. These changes were also confirmed by the recording of Amendment No. 3 to the Master Deed of Audubon Hill South Condominium ("Amendment No. 3") recorded as Instrument No. 620 of November 1, 1991, in Book 21513, Page 493, with said Deeds.

G. Despite an active sales and marketing campaign, the Developer has had difficulty in finding a sufficient number of qualified purchasers ("Eligible Purchasers" as defined in the Agreement) to purchase the "Restricted Units" in a manner to accommodate the construction and orderly sale of the Units as approved by the Town. Further, economic conditions have impacted upon the Developer's ability to construct the Senior Center and the North Phase, as originally approved, without the modification of the Agreement.

H. Under Section 6.2 (b) of the Comprehensive Development Agreement, there may be no modification of the Agreement without the Construction Lender's written consent.

I. Because of market conditions and other causes reasonably beyond the Developer's control, the Project will not be completed within the period required by the Agreement.

J. Accordingly, the Developer and the Lender have requested that the Town and the AHA join with the Developer and the Lender in modifying certain terms and conditions of the Agreement, as set forth below.

NOW THEREFORE, in consideration of the foregoing and the mutual covenants and agreements in this Third Supplemental Agreement, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. The Agreement and all other agreements by and between the Town and the Developer are hereby amended to remove and make null and void and of no effect all references to the Developer's obligation to create and sell Restricted Units or "A.H.A. Restricted Units" in either the Audubon Hill South Condominium or the Audubon Hill North Condominium, except for four (4) Restricted Units already constructed and sold as Restricted Units. Only Unit Numbers 17, 18, 25 and 48 in the Audubon Hill South Condominium which have already been sold as Restricted Units shall remain as Restricted Units.

2. The Lender guaranties the disbursement of a maximum of Three Hundred Thousand (\$300,000.00) Dollars to be utilized for all costs associated with the construction of the Senior Center on the Development Property in accordance with the plan entitled "Audubon Hill Senior Center" dated December 5, 1991, the Preliminary Outline Specifications of the Elderly Center Addition dated July 29, 1988, as amended January, 1992 and the terms and conditions of the Agreement and any modifications to said plans or the Agreement reasonably requested or approved by the Town. The Lender specifically waives any right it may have under Section 6.2 (a) of the Comprehensive Development Agreement or otherwise to be released from the obligation to construct the Senior Center and the Lender acknowledges that any successor to the Lender which may acquire the Development Property in any manner shall be bound by the provisions of Article V of the Comprehensive Development Agreement as modified by the provisions of this Section 2. The Agreement is hereby amended to require that the Developer begin the construction of the Senior Center, as aforesaid, within thirty (30) days after the execution of this Third Supplemental Agreement and complete the Senior Center upon the earlier of the ninetieth (90th) day after the closing of the sale of the Thirty-Eighth (38th) Unit in the Audubon Hill South Condominium or December 31, 1992, subject to the provision that the Lender's Legal Lending Limit with the Developer does not allow the Lender to advance more than \$4,300,000.00 to the Developer at any one time.

3. In lieu of satisfying the provisions of Sections 3.4 (b) and 3.4 (h) of the Comprehensive Development Agreement with respect to the Developer's inability to secure Eligible Purchasers for the majority of the Restricted Units, the Developer shall contribute to the Town the sum of One Hundred and Thirty Thousand (\$130,000.00) Dollars from the proceeds of the sale of the first unit to close after the execution of this Third Supplemental Agreement to the Agreement by all required parties, to be held and applied by the Town for elderly purposes in accordance with Sections 3.4 (b) and 3.4 (h) of the Comprehensive Development Agreement.

4. In partial consideration of the Developer reimbursing to the AHA, its \$10,000 deposit as referenced in Section C of this agreement, the Rights of First Refusal granted by the Developer to the AHA dated as of March 8, 1989 and the provisions for transfer of

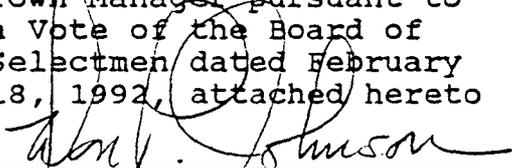
five (5) Units ("the A.H.A. Restricted Units") to the AHA set forth in Section 3.3 (f) of the Comprehensive Development Agreement are hereby released and shall be null and void and of no further effect.

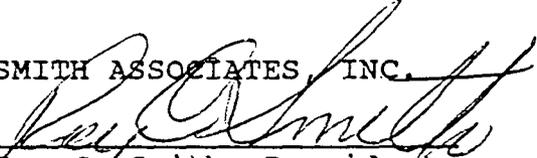
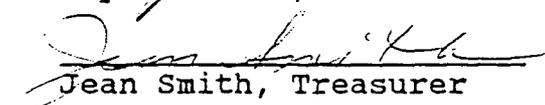
5. Pursuant to Sections 2.1 and 9.13 of the Comprehensive Development Agreement, the time for performance of the Agreement is hereby extended one (1) year to June 23, 1993, provided that the Town, in its sole discretion, may elect to extend such time for performance further.

6. Capitalized terms used in this Third Supplemental Agreement and not otherwise defined shall have the meaning ascribed to them in the Agreement.

7. The parties hereto specifically ratify and confirm the Agreement, except as amended hereby and the Comprehensive Development Agreement, the Supplemental Agreement and the Second Supplemental Agreement shall remain in full force and effect and this Third Supplemental Agreement shall be construed so as to supplement, clarify and amend such prior agreements.

IN WITNESS WHEREOF, the parties hereto have caused this Modification Agreement to be executed under seal as of the date first written above.

TOWN OF ACTON  
Acting by and through its  
Town Manager pursuant to  
a Vote of the Board of  
Selectmen dated February  
18, 1992, attached hereto  
  
Don P. Johnson, Town Manager

R. SMITH ASSOCIATES, INC.  
By:   
Roy C. Smith, President  
  
Jean Smith, Treasurer  
BOSTON FEDERAL SAVINGS BANK

By: \_\_\_\_\_  
David P. Conley, its  
Executive Vice-President  
For Authority, See Certificate  
of Vote attached hereto

This Third Supplemental Agreement is assented to by the Acton Housing Authority for purposes of releasing all of its rights as set forth in Section 4 of this Third Supplemental Agreement.

ACTON HOUSING AUTHORITY

By: \_\_\_\_\_

For Authority, See Certificate  
of Vote attached hereto

Middlesex, ss.

February 25, 1992

Then personally appeared the above-named Don P. Johnson, Town Manager, and acknowledged the foregoing instrument to be the free act and deed of the Town of Acton, before me

Don P. Johnson  
Notary Public  
My commission expires: 5-13-94

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

February 25, 1992

Then personally appeared the above-named Roy C. Smith, President, as aforesaid, and acknowledged the foregoing to be the free act and deed of R. Smith Associates, Inc., before me

Roy C. Smith  
Notary Public  
My commission expires: 5-13-94

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

February 25, 1992

Then personally appeared the above-named Jean Smith, Treasurer, as aforesaid, and acknowledged the foregoing to be the free act and deed of R. Smith Associates, Inc., before me

Jean Smith  
Notary Public  
My commission expires: 5-13-94

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

February , 1992

Then personally appeared the above-named David P. Conley, Executive Vice-President, as aforesaid, and acknowledged the foregoing instrument to be the free act and deed of Boston Federal Savings Bank, before me

\_\_\_\_\_  
Notary Public  
My commission expires:

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

February , 1992

Then personally appeared the above-named

Chairperson of the Acton Housing Authority, as aforesaid, and  
acknowledged the foregoing instrument to be the free act and deed of  
the Acton Housing Authority, before me

---

Notary Public

My commission expires:

i/modifyaudubonhill

# ACTON

1992

September 17, 1992

Seventy-five cents



Staff Photo by Meredith Hayes

## 45 single-family homes proposed

### 18 would be set aside as 'affordable'

By Hedy Lopes  
Staff Writer

ACTON — When Quarry Woods, a proposed affordable single-family housing development, is completed, it will be a first. And it will provide an opportunity for the town to grow and open up to people who couldn't otherwise afford to live here, much as the Indian Village development did in the 1950s, said William Gothorpe.

Gothorpe is chairman of the 10-member volunteer non-profit Acton Community Housing Corporation (ACHC), established in 1987, whose mission is to support such projects.

"It would be a wonderful first step for the town," Gothorpe said, noting the ACHC has already lent its support to the concept.

Planned by CMA Architects, Inc. of Jamaica Plain, which is completing a similar development in Bolton, the proposed development would be off Quarry Road beyond the intersection of Granite Road.

Of the 45 homes planned, 18 would be set aside as "affordable," while the other 27 would be sold at market rate. Harvey Rosenbloom of CMA said the 18 units would sell for anywhere from \$105,000 to \$110,000, while the market ones would go for between \$135,000 and \$150,000.

CMA has had success in neighboring Bolton. Of Bolton Woods' 28 single-family homes, 14 are market rate and 14 are affordable with income requirements and price set

**"It would be a wonderful first step for the town."**

William Gothorpe  
chairman, Acton Community  
Housing Corporation

by the state's Executive Offices of Communities and Development (EOCD). The 1,500-square-foot homes have full basements and four styles: country cottage, bungalow, farmhouse and cape. Rosenbloom said all have been sold and half are occupied with the remainder under construction.

Stow has voted to support a similar concept designed by CMA, Stow Farms, planned for Great Road.

"We feel affordable housing is something every town needs," Rosenbloom said.

In a best-case scenario, Rosenbloom said construction of Quarry Woods would begin in the spring with completion 12 months later.

This type of project is not the first that has come along. Others have been proposed but have fallen victim to the economy. Betty McManus, executive director of the Acton Housing Authority and a member of ACHC, said "We've reviewed four or five developments and had received state approval on three, but the economy changed. Everything fell

HOMES, Page 16

## Task force: No

during this weekend's snow

# 45 single-family homes proposed

■ HOMES, From Page 1 through and we never got anything built."

But Gothorpe said he is more optimistic about this one. "It's not so huge ... it's a digestible size for a bank to look at."

Selectman Nancy Tavernier, chairman of the board and ACHC member, said Peter Conant of CMA "seems to be a high-quality builder. We were quite impressed with him."

The only potential "down side," Gothorpe said, is the development's location opposite the site the town has been considering for a swim facility.

Health Director Doug Halley said the CMA site is about 1,000 feet from the proposed swimming area and that a hydrogeologic study would be a definite requirement. Rosenbloom said those studies are under way. The consulting firm of Pine and Swallow had done a similar preliminary study on a development behind this proposed one, Halley said.

One of the other considerations is that the land is within an aquifer protection zone and by law must have a treatment plant if it will generate more than 10,000 gallons of septage per day, Halley said. Such a requirement would have an impact on the affordability of the houses, said Rosenbloom. He said the "septic system is under discussion and negotiation." The health department has asked Conant to prepare a more precise package. But "right now, we would be looking for a treatment plant," Halley said.

No plans or applications have yet been filed with the Planning Board although CMA representatives met

with town officials and also held an informational meeting which was open to the public.

In a project such as this one, which is not federally funded, tighter restrictions on local-preference buyers can be put in, Gothorpe said. That means town employees such as police officers, teachers or firefighters, or residents, would be given preference providing they meet the income requirements.

McManus said there is a lot of interest in the project. "Yes, there is a need even though the real estate market has dropped [in price]. People have trouble with a \$50 [thousand] or \$60,000 income" to get into the housing market for the first time.

Another step is being taken to open up the town to families in lower income brackets in a South Acton development. Kevin Sweeney of Lunn and Sweeney, which is developing a 17-acre parcel off Main Street, plans to designate four of his 34 units for ACHC. "It is not a federal, state or town subsidy; it is a total contribution," Sweeney said. Antique colonials are planned for Mill Corner to take into account the historic significance of the area, Sweeney said. He said he expects to start construction in the spring.

Gothorpe said the ACHC will sell those four units to qualified buyers on behalf of the town and use the money as seed money to develop additional housing. The long-term goal of ACHC is to "become more pro-active" and "generate new housing initiatives" Gothorpe said, noting the town would like to replicate the success of Lexington's LexHab group.

## Meehan assigned to House committees

By Mark Arsenault  
Staff Writer

Fifth District Congressman-elect Martin Meehan has been appointed to the House Armed Services and Small Business committees, Meehan announced late last week.

Massachusetts lost representation on both those committees when

ensure that Massachusetts companies receive a fair slice of the shrinking defense budget.

Noting that small businesses employ 60 percent of the people working in the United States, Meehan said his appointment to the Small Business Committee puts him in position to impact the region's economic recovery.

membership chairwoman Christen Grainger at 899-1338 or 894-1296.

ACTON, Mass. (AP) — A plan to build 45 single-family homes on a 10-acre site in Acton, Mass., was approved by the town board Tuesday.

The plan, which was approved by a 4-2 vote, calls for the construction of 45 single-family homes on a 10-acre site in Acton, Mass., which is currently zoned for commercial use.

The homes would be built on a 10-acre site in Acton, Mass., which is currently zoned for commercial use. The plan calls for the construction of 45 single-family homes on a 10-acre site in Acton, Mass., which is currently zoned for commercial use.

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