



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

Deval L. Patrick, Governor ♦ Aaron Gomstein, Undersecretary

August 16, 2013

Philip Singleton
Post Office Square Acton LLC
121 Loring Avenue
Salem, Massachusetts 01970



Janet K. Adachi, Chair
Board of Selectman
Town of Acton
472 Main Street
Acton, Massachusetts 01720

RE: Post Office Crossing, Acton, Massachusetts
Determination of Project Eligibility under the Local Initiative Program (LIP)

Dear Mr. Singleton and Ms. Adachi:

I am pleased to inform you that your application for project eligibility under the Local Initiative Program (LIP) for the proposed Post Office Crossing project has been approved. This approval is based on your application that sets forth a plan for the development of twelve (12) homeownership units. The proposed sales prices of the LIP units are generally consistent with the standards for affordable housing to be included in a community's Chapter 40B affordable housing stock.

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

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

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

Please provide us with a copy of the comprehensive permit as soon as it is issued. The DHCD legal office will review the comprehensive permit and other project documentation. Additional information may be requested as is deemed necessary. Following the issuance of the comprehensive permit, the specifics of this project must be formalized in a regulatory agreement signed by the municipality, the project developer, and DHCD prior to starting construction.

As stated in the application, the Post Office Crossing project will consist of twelve (12) units, three (3) of which will be eligible for inclusion in the town's subsidized housing inventory. The affordable units will be marketed, sold and rented to eligible households whose annual income may not exceed 80% of area median income, adjusted for household size, as determined by the U.S. Department of Housing and Urban Development.

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

1. A final affirmative fair marketing and lottery plan with related forms shall be submitted that reflects LIP requirements including consistency with the *Comprehensive Permit Guidelines, Section III, Affirmative Fair Housing Marketing Plans*;
2. Any changes to the application it has just reviewed and approved, including but not limited to alternations in unit mix, sales price, rents, development team, unit design, site plan and financial pro forma reflecting land value, must be approved by DHCD;
3. The proposed project includes a Homeowner's Association whose fees are currently estimated at \$50/month. The developer shall submit to DHCD the final form and fees of the Homeowner's Association;
4. The project must be organized and operated so as not to violate the state anti-discrimination statute (M.G.L. c151B) or the Federal Fair Housing statute (42 U.S.C. s.3601 et seq.). No restriction on occupancy may be imposed on the affordable unit (other than those created by state or local health and safety laws regulating the number of occupants in dwelling units);
5. The Town shall submit to DHCD the finalized details of the comprehensive permit;

As the Post Office Crossing project nears completion of construction, DHCD staff may visit the site to ensure that the development meets program guidelines.

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When the units have received Certificates of Occupancy, the developer must submit to both DHCD and the Acton Board of Selectmen a project cost examination for the comprehensive permit project.

This letter shall expire two years from this date or on August 16, 2015 unless a comprehensive permit has been issued.

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

Sincerely,



Catherine Racer
Associate Director

cc: Paul Cusson, Delphic Associates
Ron Bartl, Acton Planning and Development
Steven Ledoux, Town Manager
Nancy Tavernier, Acton Community Housing Corp
Kenneth Kozik, Zoning Board of Appeals ✓
Office of the Chief Counsel, DHCD

Enc.

RESPONSIBILITY FOR COST CERTIFICATION:

By your signature below, Post Office Square Acton LLC, acknowledges and accepts this approval letter, including the obligation under law to provide the Department of Housing and Community Development and the Acton Board of Selectmen with a project cost examination.

Signature: _____

Name (print): _____

Date: _____

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

Post Office Crossing, Acton, Massachusetts

LOCAL INITIATIVE PROGRAM – COMPREHENSIVE PERMIT

Sponsor:
Post Office Square Acton LLC
121 Loring Avenue, Suite 342
Salem, MA 01970

Project Addresses:
6 Post Office Square
Acton, MA 01720

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

Type of Unit	# Units	# Bdrms	# Baths	Gross SF	Association Fee	Maximum Sale Price
For Sale						
Market Units	9	3	2.5	2200-2400	\$50	\$574,000
L.I.P. Units	3	3	2.5	2200-2400	\$50	\$191,200
Total Units	12					