Acton Community Housing Corporation
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TO: Planning Department
FROM: Nancy Tavernier, Chair, Acton Community Housing Corporation
SUBJECT: Preliminary comments on proposed Martin St. 40B
DATE: July 7, 2016

The following comments are offered by the Acton Community Housing Corporation in regard to the proposed 40B at 31, 39 and 45 Martin St. These should be incorporated into the official comments from the Board of Selectmen to be sent to MassHousing as part of the 30 day comment period required by MassHousing. The Town received the Martin Street application from MassHousing on June 22, 2016. It is anticipated that a site visit will be scheduled by MassHousing soon and we reserve the right to submit additional comments after the visit.

The ACHC met with developer Mark Gallagher on March 21 and April 11. At the April 11 meeting, two members of the Board of Selectmen were present but did not formally participate in the discussion. At the April 11 meeting, the ACHC voted to support the project to allow it to move along to the next step with the condition that we would have comments again further along in the process. In addition, Mr. Gallagher met with the abutting neighborhood on 2 occasions and has been extremely receptive to their concerns and suggestions.

Because this proposal is complex, the counting of units is a challenge depending on the definition of units. To clarify the count we define Dwelling Unit as an independent unit with kitchen, bedrooms, baths and living space. We use the term SHI Unit (DHCD Subsidized Housing Inventory) to count the number of units that will apply toward the 25% affordable units required for a Comprehensive Permit. This is the count toward the Town's 10%. In this proposal there are 30 Dwelling Units and a total SHI count of 10. The application uses both 30 units and 36 units which can be confusing.

This is the breakdown:

Dwelling Units
2 Group Homes
2 Affordable Single Family Homes
26 Market rate units including duplexes and single family homes
TOTAL 30 Dwelling Units

SHI Units
8 bedrooms (in 2 group homes, 4 each)
2 Affordable Single Family Homes
TOTAL 10 SHI Units

Percentage units affordable 33% of 30 dwelling units, or 28% if you use the 36 unit count, (26 market + 2 affordables + 8 beds = 36)

COMMENT #1: 25% affordable count

The Town needs to be *assured in writing* that the group home bedrooms (8 total) are allowed to count toward the 25% affordability of the Comprehensive Permit total. First-time-homeownership by income eligible households is the heart and soul of the ACHC's program. This is why we requested that there be a minimum of 2 affordable units to be sold to households earning less than 80% of the Area Median Income. We recognize there is great value to the production of 2 group homes but we need to be assured that the subsidizing agency agrees with the proposal that allows the group home bed count to be included in the 25%.

COMMENT #2: Department of Developmental Services (DDS) Policy on residential settings

The Town also needs to be *assured in writing* from the DDS that the group homes will meet their policy on Home and Community Based Settings Rules found at this link:
http://www.mass.gov/eohhs/gov/laws-regs/dds/policies/hcbs-policy-2014-1.pdf

Here is an excerpt from page 3 of the DDS policy. It appears this arrangement of side by side or adjacent will require DDS review and approval.

(b) DDS may license or fund new homes in the community that are duplexes, "triple-deckers", or free standing homes that are either side by side or adjacent or on bordering lots only upon the review and approval of the regional director, the assistant commissioner for field operations and the assistant commissioner for quality management. The capacity in these settings may not exceed four (4) individuals on each side of a duplex, in each unit of a triple decker or in each free standing home located on adjacent lots.

COMMENT #3: Ownership model

ACHC is curious about the ownership structure of the development. It does not appear from looking at the pro forma, that the group homes will be sold. We assume they will be donated to a local DDS agency, Minuteman Arc but do not see that in the application. How will the group homes interface with the Condo or Homeowner Association and will they have fee simple ownership? How will the revenues and expenses for the Group Homes fit into the overall Pro Forma?

COMMENT #4: DRAINAGE, WETLANDS AND FLOOD PLAIN

The neighborhood has expressed concern about the flooding history and drainage issues with this site and its proximity to Fort Pond Brook. The Town should give notice that a Peer Review of the Engineering and Drainage plans will be recommended to the ZBA.

COMMENT #5: RETENTION OF EXISTING HOUSES

There are three existing dwellings on the site. It appears that one of the existing homes will be kept in its current location but the other two will be moved to Martin Street frontage, one with a 2 car garage added and one without a garage. We support the efforts to rehab and reuse these units.

COMMENT #6: HANDICAPPED UNITS

On page 9, the number of handicapped units is listed as 4, including 2 market and 2 affordable. We are curious about whether there are 2 market units that are only one story and if the group homes will be one story since to be accessible would otherwise require an elevator? On page 10, all units are listed as having 2 stories. We fully support the provision of handicapped units.

COMMENT #7: MANAGEMENT AGENT

On page 19 of the Application, the Acton Community Housing "Authority" (should be Corporation) is listed as the Management Agent. We are not sure what that assignment is. We think the Planning Department should be the contact for the developer.

COMMENT #8: NAME OF DEVELOPMENT

We propose a more creative name for the development perhaps soliciting a name from the neighborhood. New England Village sounds much too vague for such an historic location