



Planning Department

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**MEMORANDUM**

**To:** Planning Department

**Date:** July 18, 2016

**Updated (par. 5): August 29, 2016 (by RB)**

**From:** Victoria Kulwicki

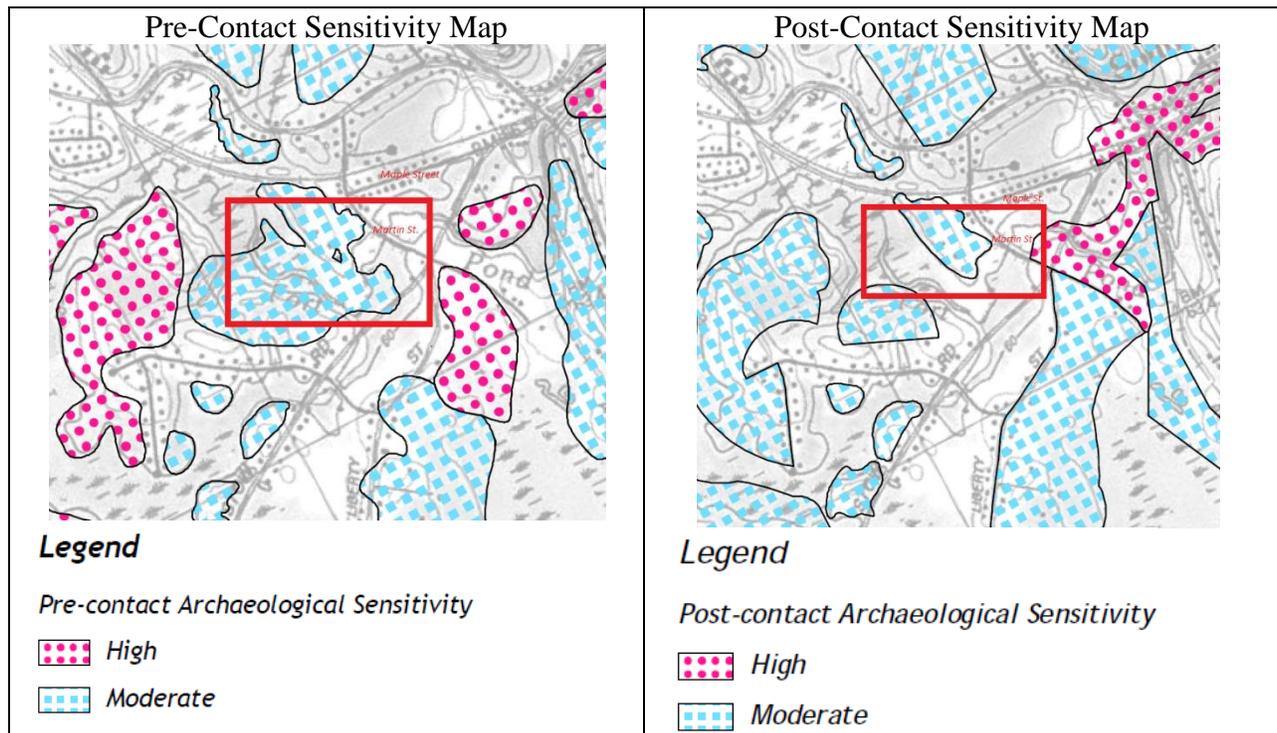
**Subject:** Planning Department Comment Summary for Martin Street 40B Site Eligibility Application

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The Planning Department reviewed the Applicant's submission for site eligibility. The Applicant appears to meet all jurisdictional requirements. The Applicant's control of the site is demonstrated through Purchase and Sale agreements for 31, 39 and 45 Martin Street. The Applicant also submitted a W-9 document and proof of good standing from the Maine Secretary of State to verify that Seal Harbor exists as a Limited Liability Corporation. The Applicant submitted a letter from MassHousing which stated that the Site's eligibility for funding is currently under review by the subsidizing agency. In addition, the Applicant plans to use the New England Fund program as a subsidy.

Upon reviewing the preliminary site plans provided by the Applicant, the following comments from the Planning Department should be taken into consideration:

1. **ARCHAEOLOGICAL SENSITIVITY.** In 2008, the Town of Acton conducted an Archaeological Reconnaissance Survey in order to identify possible locations of pre-contact Native American and post-contact/historic period archaeological sites. These sites are areas that are likely to contain historic and/or archaeological resources based on environmental indicators such as soil type, proximity to wetlands, documentary or cartographic evidence, written or oral tradition, and other factors. According to the Pre- and Post-Contact Sensitivity Maps produced through this survey, there appears to be moderate pre-contact and post-contact sensitivity throughout portions of the Site (see below).



2. **SIDEWALKS AND CROSSWALKS.** There currently exists a sidewalk along Martin Street, but improvements are recommended in order to increase pedestrian accessibility. First, it is recommended that a crosswalk with tactile ADA-accessible ramps be installed at the Site's proposed common driveway (connecting to the sidewalk on the opposite side of Martin Street) and at the intersection of Martin Street and Maple Street. In addition, it is recommended that improvements be made to the section of sidewalk at the corner of Martin Street and Maple Street.
3. **DEMOLITION DELAY BYLAW.** The existing structures at 31, 39 and 45 Martin Street are currently registered on the Town of Acton's Cultural Resource List and on the Massachusetts Cultural Resource Information System. Because the Applicant intends to move and refurbish the three existing homes, the Demolition Delay Bylaw is not triggered. However, the barns accompanying two of the existing homes are also listed on the Town's Cultural Resource List. If the Applicant chooses to demolish the sheds, the Demolition Delay Bylaw is triggered for these two structures; however, as the Demolition Delay Bylaw is a local bylaw, it can be waived under the 40B Comprehensive Permit.
4. **TREES.** The Site is currently populated by a number of mature trees. It is recommended that the common drive be expanded in a manner that preserves the trees currently lining it

and that the Applicant makes reasonable efforts to preserve as many mature trees on the property as possible.



5. AFFORDABLE AND MARKET RATE UNITS. There are 30 proposed units at the Site. Of these, two 4-bedroom group homes and two 3-bedroom units are designated as affordable. The proposed 4-bedroom group homes are currently described as 8 affordable units (with each bedroom comprising one unit). Under this assumption, the percentage of affordable housing in the project would be 33%. If each 4-bedroom group home is counted only as 1 4-bedroom unit, the percentage of affordable housing would be only 13%. It is necessary to confirm with the subsidizing agency that each bedroom in the proposed group homes may be counted as one unit in order to determine that the proposed project meets the required 25% affordable housing.

**August 29, 2016 update (by RB):**

**DHCD has determined that group homes cannot be a part of the proposed 40B project at this site. The project proposal has changed to 32 dwelling units – some single-family and some as duplexes. Eight units (25%) would be price restricted so as to be affordable and contributing to Acton’s subsidized housing inventory.**

6. 100-YEAR FLOOD PLAIN. The 100-year flood zone extends through a large portion of the front (eastern side), southern, and western (rear) of the property. Houses constructed near the floodplain should be built entirely above the 100-year flood level.