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Planning Department

MEMORANDUM

To: Planning Board **Date:** May 19, 2005
From: Roland Bartl, AICP, Town Planner *R. B.*
Subject: Woodlands at Laurel Hill 40B Project

In the event that the Planning Board should decide to offer further comments to the Board of Appeals, the following might be helpful:

On density:

The Planning Board had commented that the density of the proposed development exceeds the maximum density envisioned under the master plan for this site (5 dwelling units per acre under the affordable housing overlay district B). First, the density was about 8¹/₂ units per acre and then, with the addition of more housing shown on lot 4 the density rose to about 10.3 units per acre, whereby lot 4 is in the affordable housing overlay district A where density under local zoning would only be allowed to increase by 1.25 that of the underlying district – here 1 unit/2 acres.

In actual counts, the Woodlands project would create:

- In Acton: 296 1- and 2-bedroom rental apartment units with 444 bedrooms and +/-302,000 square feet of living space in total on +/-18.58 acres zoned affordable housing overlay district B. (If approved some units may become 3-bedroom units to increase housing availability for families. If that would actually happen or if it would reduce the overall unit count is unknown to me.)
 - 75 of these units (37 1-br., 38 2-br.) would be affordable. All 296 units would count towards Acton's affordable housing count under Ch. 40B.
- In Acton: 64 2-bedroom condominium townhouse units with 128 bedrooms and +/-107,000 square feet of living space in total on +/-14.21 acres zoned R-10/8 with affordable housing overlay district A.
 - 16 of these units would be affordable. 16 units would count towards Acton's affordable housing count under Ch. 40B.

(The applicant has indicated that after 40B approval they would like to convert this portion to a senior residence special permit development under Acton's zoning rules. Under that, the 64-unit count would probably fit).

- In Westford: 84 1- and 2-bedroom rental apartment units (total bedrooms unknown) on +/-36.14 acres (zoning unknown).
 - 22 of these units would be affordable. All 84 units would count towards Westford's affordable housing count under Ch. 40B.

- In Westford: One new single-family home, market rate (included on the above acreage).

In total, 445 units on +/-69 acres for an overall density of 6.45 units per acre.

Comparisons with single family home developments:

Looking at only Acton's portion: The total count is 360 units with 572 bedrooms and 409,000 square feet of living space. Most of us are more familiar with single-family homes. Therefore, it might be a valuable exercise to translate this into single family homes. Assuming 4-bedroom homes, the above bedroom count would translate into 143 new single-family homes. Assuming a modest (by today's new home construction standards) 3,000 square feet, the above living area would translate into 136 single-family homes.

A frequent measure of impact is traffic:

Based on ITE Trip generation statistics the 360 total units as proposed (1- & 2-bedrooms only and no elderly restrictions) would generate about 2340 trips on an average weekday. For comparison, 143 single-family homes generate about 1369 trips on an average weekday.

Another frequent measure of impact is number of school children:

Based on recent studies in Massachusetts including Acton, the applicant suggests about 46 school age children from the 296 apartment units and about 17 school age children from the 64 townhouse units, for a total of +/-63 school children. These numbers relate well to other studies on the subject that I have seen over the years. For comparison, 143 single family homes would generate between 155 and 215 school age children depending on varying assumptions (housing prices, sizes, age of homes, and private school enrollments – Fiscal Impact Study Group, Acton, May 2001).

A note on density and community standards:

The ZBA wants to rationalize Acton's density limit with some universally applicable standards that might be found in some textbook or scientific publication, but the fact is that no universal standards exist.

Of course, there are site- or community-specific limitations: A sewer treatment plant may have limited capacity; a soil absorption bed for on-site wastewater treatment may have its physical limits; a site (such as is the case with the Westford portion of Woodlands) may be constricted by wetlands and the presence of wildlife species that are considered of special concern or endangered; building heights may be limited because the community does not have the firefighting equipment to deal with high-rise buildings; etc. Some of these limitations could be overcome, others not.

The fact is that Acton's planning goals, and with it the resulting zoning limitations, are an expression of community standards that have no universal application and have nothing much to do with insurmountable capacity limitations. Rather, it is all about choices and every community has made different choices. How else, do we explain the differences between Acton and, say, Cambridge or Boston? Both places more or less meet the needs of people who live there, some prefer this, and others prefer that.

Acton's density limits (just like setbacks, or current height limits) have nothing to do with universal standards that one might find in a textbook. Rather they are Acton's unique community standards that evolved over time through custom or deliberate planning exercises such as the master plan. In a master plan, and in any resulting zoning bylaw, probably 80% is somehow or other grounded in community standards – general, feel-good, comfortable, regulations that, more often than not, tend to want to preserve the status quo while acknowledging landowners constitutional rights, existing State land use laws, and certain community needs such as affordable housing, a healthy commercial tax base, or clean drinking water. It is a balancing act between all these issues and as many opinions on them as there are people who choose to participate in the public process.

On housing density and affordability, the master plan (1990 and 1998) seeks to find a balance between the goal of maintaining the character of a relatively low-density residential community, while also addressing the goal to create more affordable housing, which can only be done through increased densities or government subsidies. So, the affordable housing zoning overlay was created within the context of these conflicting goals. The 5 units per acre cap in the affordable housing overlay district B, was then chosen rather arbitrarily on the basis of a general comfort feeling among the decision makers at the time and what they felt would be acceptable at Town Meeting. 6 units per acre might have worked, too, maybe even 8. We will never know. In that context, the proposed 10 units/acre, or so, is inconsistent with the master plan, but one will not find a direct citation in the master plan, let alone scientific justification. Rather, the 1990 recommendation for the implementation of the affordable housing overlay is merely the regulatory proposal for implementing what was determined to be an acceptable density within the context of the community standards that the planning committee at the time felt it had ascertained during the master planning process.

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