

TO: Roland Bartl, AICP Town Planner
CC: Members of The Acton Planning Board

FROM: Ron Peabody
DATE: 11/22/05
RE: Town of Acton Affordable Housing By-Law

Per your request the following are some brief comments for your review. Generally I think the town should have a by-law that is both comprehensive yet not overly restrictive if you actually want and expect local developers to use it effectively and not default to 40B guidelines. My comments are as follows:

1. Chart in Section 4.4.3.1 "Method of Providing Affordable Dwelling Units": is very confusing and should be made simpler.
2. It is in almost all cases financially not feasible to develop a major affordable housing development with 40% affordability. I.e. Harris Village in which a waiver was granted (see Section 4.4.4.1)
3. In Section 4.4.5.5, dwelling units for handicapped persons should read "adaptable for handicapped persons". In our experience we have found that there are many types of handicaps and a person who may qualify due to blindness may not in fact want a bathroom which would meet all requirements for wheel chair access. A developer should be required to build flexibility into the product but build the home for the actual occupant chosen.
4. Section 4.4.9.5 should be modified to build in some flexibility for multi-unit buildings.
5. Section 9.6.2.1 dealing with PCRC development sets the base line for the number of units per acre in several zones while the affordable by-law allows for a density bonus.
More flexibility needs to be built in allowing the Planning Board additional latitude as it relates to density.
I.e.:
4-Acres in R-2 under PCRC = 8-Units with 50% density bonus = 12-Units, of which 4 are to be affordable.
A parcel of land 4-acres in the appropriate location may be suitable for 20-units in which there would be 5 affordable units. This may or may not be too restrictive. It should allow for more subjectivity based on location and building style.
6. I'm not sure if there is a method to allow for a portion of affordability:
I.e.:
20-units @ 25% = 5 Affordable
21-units @ 25% = 5.25 units
Can a cash contribution be made for the .25% or does the developer have to permit in increments of 4?

Please accept these comments and question as constructive only. I hope you find them helpful.