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4/25/07

2

**From:** Nancy Tavernier  
**Sent:** Thursday, June 21, 2007 4:11 PM  
**To:** Manager Department  
**Subject:** background info for ACHC oversight



Affordable housing Affordable housing  
handout ACH... milestones ...

Please include in Selectmen packet for 6/25

## **Affordable Housing in Acton Acton Community Housing Corporation**

The Town Board charged with facilitating affordable housing is the Acton Community Housing Corporation (ACHC). This quasi-public body is a Selectmen appointed board, created by a Home Rule petition in 1996. Prior to this, ACHC was a private non-profit housing partnership group formed by the Selectmen in 1986. The Home Rule petition granted the ACHC broad powers not normally held by Town Boards. Original membership included individuals from the banking, real estate and development fields, lawyers, housing advocates, and interested citizens. Many of these same dedicated individuals became charter members of the 1996 Town board and remain members today.

ACHC has five full members and two associate members. The Town's charge to ACHC is to "provide affordable housing opportunities for working families with modest incomes."

The role of the ACHC is to act as the Town's initial contact with developers of proposed affordable residential housing projects, which may be site-specific or exploratory. The developer presents a proposed housing plan, indicating unit design and size, related facilities, site planning and affordability. The developer indicates any requests that will be made for a density bonus or other variances in return for the provision of affordable housing. Following ACHC review and discussion, specific requests may be made of the developer relative to the proposed housing, particularly as to the size, scale, adequacy, and appropriateness of the development, before the proposal is taken to the town staff and town boards. ACHC generally holds one or more public information sessions on each proposal.

Affordable Housing is defined in Massachusetts as *housing for households with incomes not exceeding 80% of the Area Median Income **AND** that restricts rents or home prices for a specific period of time*, generally 99 years in Acton. The price range of affordable homes is currently \$140,000-185,000. Deed riders restrict the future re-sales of these properties to other income eligible families. Housing is considered affordable if it does not consume more than 38% of gross household monthly income. There may be some properties in Acton that are valued at these low prices but unless they are deed restricted for income eligible families, they can neither be counted toward the Town's 10% nor officially termed Affordable Housing.

The most effective tool for the creation of affordable units is the "Comprehensive Permit". This is the common term used to describe the process of permitting affordable development using MA General Laws Chapter 40B. This legislation was enacted in 1969 to encourage the development of housing for low and moderate-income individuals and families. Since 1970, more than 35,000 housing units across state have been developed under Chapter 40B. Under the statute, 40B establishes a comprehensive or "streamlined" permitting process enabling a local ZBA to approve a proposed housing development if at least 25% of the units are affordable to households whose gross annual household income does not exceed 80% of area median income. The 2007 median household income for the

Boston Metropolitan area that includes Acton is \$82,400. For a household of four, 80% of the median household income is \$66,150.

Although a 40B project must adhere to the state Wetlands Protection Act, meet state building codes, and DEP Title V requirements, a comprehensive permit circumvents all other local zoning and approvals. A comprehensive permit may be used in a community where less than 10% of the housing units are affordable to households whose median income is 80% or less of area median. **Acton has 6.6% of its 7645 total housing units designated as affordable.** The MA Department of Housing and Community Development (DHCD) is responsible for maintaining an inventory of affordable housing and certifying the number of affordable units in each city and town.

Under the comprehensive permit process, an eligible developer may request that the ZBA waive certain requirements under the community's zoning ordinance if the developer believes that the provisions make the development financially unfeasible. If the developer's application is denied, the ZBA's decision can be appealed to the state Housing Appeals Committee (HAC). The five-member HAC, which operates under DHCD, can override a local denial or conditional approval unless the project poses serious health and safety issues that cannot be mitigated. Historically, most cases that have been appealed to HAC have been decided or settled in favor of the developer especially in the communities under the mandated affordable housing count of 10%.

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6/14/07

## ACTON COMMUNITY HOUSING CORPORATION

### ACTON'S AFFORDABLE HOUSING MILESTONES

- 1990 Annual Town Meeting adopts Master Plan vision statements, including "Promote a wide range of economic diversity in housing including low and moderate income housing."
- Fall Special Town Meeting adopts the Affordable Housing Overlay District.  
Sub-district A includes most sizeable vacant or underdeveloped parcels around Town: 25% density bonus for +/-10% affordable units. Preserves single-family neighborhood character, but allows some duplexes.  
Sub-district B comprises less acreage. Includes, most vacant and underdeveloped parcels near designated commercial growth centers – villages and Kelley's Corner, and other parcels near established commercial areas. Allows up to 5 multi-family units per acre for +/-30% affordable units.
- 1993 (2)\* Acorn Park PUD – 74 single-family units plus one commercial building. Planning Board negotiated two off-site affordable units using existing housing stock. Completed.
- 1994 New View PCRC - 24 units in single-, duplex-, and triplex buildings with one on-site affordable unit plus \$100,000 contribution to Town affordable housing fund, all under sub-district A zoning regulations. Completed.
- 1995 (6)\* Bellows Farm PCRC, 1995 – 114 single-family units. Planning Board negotiated six off-site affordable units using existing housing stock. Completed.
- 1998 (4)\* Westside Village **40B project** - Westside Drive off Sudbury Road. 16 single-family units, four affordable, on 5.25 acres. Completed. Base zoning was General Industrial, now Powder Mill. Affordable Housing Overlay Sub-District B applies. Within walking distance are Powder Mill Plaza (Stop&Shop, CVS, banks, restaurants) and other restaurants, and stores in Acton and Maynard.
- 1999 (4)\* Harris Street Place Major Affordable Housing project (local sub-district B zoning with variance for 25% affordable units) - Jennifer Path & Samantha Way off Harris Street. 16 single-family units, four affordable, on 3.3 acres. Completed Base zoning is Residence 10/8. Affordable Housing Overlay Sub-District B applies. Adjacent to Great Road commercial area – convenience store, liquor store, clothing store, restaurant, etc.
- 1999 Annual Town Meeting confirms affordable housing goals in 1998 Master Plan Update.
- 2001 (1)\* Dunham Lane OSD – 10 single-family homes plus one on-site affordable unit rehabbing existing home. Lottery held March 2005.
- 2002 (3)\* Crossroads Condominium **40B project** - At 248 Main Street. 12 townhouse units, three affordable Completed in 2004. Abutting and within walking distance to Kelley's Corner commercial
- 2002 (2)\* Robbins Mill PCRC – 90 single-family homes. The Planning Board negotiated a \$400,000 donation to the affordable housing fund. Approved. Construction underway in 2005. Town will receive funds after 10<sup>th</sup> occupancy permit is issued.
- 2002 Colonial Acres IV PCRC – 23 single-family homes. The Planning Board negotiated a \$300,000 contribution for affordable housing to the Acton Housing Authority. Approved. Construction underway.
- 2003 (3)\* Inn at Robbins Brook – Selectmen negotiated 3 rental units at the Assisted Living facility for low income seniors. Local preference is given to 2 of the 3 units.
- 2003 Affordable Housing Plan with State funds. State approved the project . \$30K from the Executive Order 418 funding of Community Development Plans. By State requirements, the project completed 6/30/04.

- 2004 (3)\* Franklin Place Ch. **40B project** located at 520 Main St. just outside Acton Center. Originally proposed at 32 units. ZBA approved a smaller project of 12 units of Cape-style duplexes. Occupancy September 2005.
- 2005 (2)\* Fort Pond Brook Place Ch. **40B project** located at 68 River St. 8 units in 4, 2 unit townhouses in farmhouse design, with 2 affordable units. Occupancy January 2006.
- 2004-5 (296+)\* The Woodlands at Laurel Hill Ch. **40B rental project** located at 80-82 Nagog Park. Proposed to be 296 rental units, 1 and 2 bedrooms, located in Acton. An additional 64 2-BR condo units may be converted to 55+ housing. ZBA approved December 2005. Under construction 2007
- 2006 (3)\* Blanchard Place Ch. **40B project** for 139 Prospect St. 12 units of 2 and 3 BR condo units, with 3 affordable units. Approved by ZBA September 2006. Under construction 2007
- 2006 (2)\* Davis Place **40B project** at 159 Prospect St. 8 units of 3BR condo units with 2 affordable units. ZBA approved September 2006. Under construction 2007.
- 2006 (4)\* Robbins Brook. Townhouse development as part of Robbins Brook assisted and independent living complex in North Acton. Approved by Selectmen 2003 & 2006. 4 units to be sold to income eligible elderly households of age 55+. Occupancy expected by late 2007.
- 2005 (2)\* Madison Place located in North Acton. **40B project**. Proposed to be 8 units in 3 BR duplexes, similar in design to Franklin Place. Approved by ZBA, February 2007.

Pending:

- 2007 (3)\* Willow/Central Residences. **40B project** being developed through ACHC on town-owned land in West Acton. A duplex will be built on Central St. and a bungalow on Willow St. Project approved by ZBA December 2006. RFP to find developer in March 2007. Developer selected, April 2007. Occupancy expected by Winter 2008.
- 2007 (3)\* Somerset Hills located on Wampus Ave. Condo conversion project approved by BOS June 2005. 2, 2-BR and 1, 1-BR unit will be made available for sale to first time homebuyers.
- 2007 (3)\* Ellsworth Village. 33 unit age-restricted development (55+) approved by Planning Board under Senior Residency zoning bylaw. 3 units to be sold to income eligible elderly households. Occupancy expected by Spring 2007.
- 2007 (18)\* Towne School building conversion to 18 affordable rental units. **40B project**. Abutting and within walking distance of Kelley's Corner commercial district. Delayed due to procurement process question at state level. Developer selected May 2006. Lease signed by Selectmen December 2006. Occupancy expected Spring 2008.

\* Number of affordable units in project

6/21/07