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Acton Community Housing Corporation
Nancy Tavernier, Chairman
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TO: Board of Appeals
FROM: Nancy Tavernier, Chair
Acton Community Housing Corporation
SUBJECT: Recommendation for Comprehensive Permit at 99 Parker St.
DATE: May 20, 2010
Cc Board of Selectmen

The ACHC has voted to recommend the proposed 5 unit comprehensive permit development at 99 Parker Street. We have been working with Mark Starr and Dennis Dyer since July 2009 on this proposal to retain the existing farmhouse and add four single-family 3BR homes, two of them affordable units.

Whenever the ACHC reviews 40B developments, we always look for the redeeming features above and beyond the provision of affordable units. First and foremost for this development is the developer's decision to file with the DHCD Local Initiative Program (LIP) also known as a Friendly 40B. This is the Town's preferred development program because it requires collaboration between the developer and the Town. Both the Board of Selectmen and the Acton Community Housing Corporation must vote to sign the application that goes to DHCD seeking a site eligibility letter. This collaborative process is one of the objectives stated in the Town's Comprehensive Permit Policy adopted by the Board of Selectmen and the Planning Board in 2006. Other features of the Policy that are met with this proposal are the small-scale nature of the development with design, unit size (1400 sf) and number of units.

The Town Policy also encourages developments that make use of existing structures or conform to the established architectural traditions in our community. The design of the existing farmhouse, to be retained as a market unit, carries through to the new units. Smart Growth is an important feature for a 40B and while this location is outside the village area, it is just over a mile to South Acton Village and the commuter rail station and will eventually be linked to a sidewalk along River Street. It is located in an area of multi-family housing including some units owned by the Acton Housing Authority so it fits into the existing neighborhood, its density consistent with current uses in the area.

The Conservation Commission was particularly impressed with the site design and layout of the units and gave a unanimous approval for the project using the state Wetlands Act standards. They appreciated the design for a comprehensive storm water management system that creatively incorporates rain gardens and pocket wetlands, reduces lawn areas and impervious surfaces and a landscaping plan that includes native, non-invasive plants as well as buffering to abutters.

A 40B development is required to have 25% of the units as deed restricted units for first time homebuyers. Because this is a 5-unit development that means two units will be affordable. Not only will the affordable units be priced to be affordable to households earning up to 80% of the Area Median Income but the market units will be priced below \$400,000 to create more affordable starter or retirement homes. This price is below the current median selling price in Acton. The developer hopes to attract households with someone employed in the town or current residents ready to downsize, people already vested in the community. Rarely do developers give up potential profits to address the needs of this middle income group.

Consistent with ACHC and the Town's Comprehensive Permit policy, we are pleased to see that one of the affordable units will be given Local Preference. It is also the intention of the developer to make the second affordable unit a handicapped accessible or adaptable unit with a marketing plan that targets and gives preference to disabled veteran households. Should no eligible household be found, then the unit will go to a non-handicapped household. In our past experience, we have found it challenging to find households that are both income eligible and handicapped, so adding disabled veteran to the definition may make it extremely difficult to market the unit. As long as the language in the decision is clear that the unit will be awarded to a non-handicapped household should an eligible one not be found, we are willing to support this well-meaning effort.

ACHC always appreciates the willingness of developers to work with ACHC and the Town on the design of the project, which is the value of the LIP program. Recently, ACHC has seen the unwillingness of developers to use the DHCD LIP program. When developers go to another state agency such as MassHousing, the Town loses the ability to negotiate up front. We need to provide an incentive for developers to return to our preferred DHCD LIP. As the Policy states: "Developments found to be consistent with this Comprehensive Permit Policy may receive active support from the Board of Selectmen and Planning Board in recommending expedited review by the Board of Appeals." This proposal is consistent with the Policy.

ACHC strongly urges the ZBA to approve this Comprehensive Permit and encourages you to expedite the approval process so construction can get underway as soon as possible.