



Acton Zoning Board of Appeal

Minutes of Meeting

July 9, 2018

Acton Town Hall

Room 204

Zoning Board of Appeal members in attendance: Kenneth Kozik, Chair; Adam Hoffman; and Emilie Ying.

Also in attendance: Roland Bartl, Planning Director, Kristen Guichard, Senior Planner, and Alec Wade, Planning Intern.

Mr. Kozik opened the meeting on July 9, 2018 at 7:33PM.

Public Hearing #18-07-446 Mass Ave. Comprehensive Permit Application

Mr. Kozik opened the public hearing #18-07 at 7:33PM.

The Applicant, Steven Joncas and project architect, Daniel Barton gave an overview of the proposed project. Mr. Joncas informed the Board that the project is being considered through the Low Income Housing Tax Credit (LIHTC) program with DHCD; local permit approval is required for LIHTC application eligibility; the project consists of 31 affordable units for seniors 62 and older; all units will be set below 70% Area Median Income at various rates; the tenant selection will include 70% local preference; although (LIHTC) does not require affordability in perpetuity, they are proposing affordability in perpetuity; all units will count towards the Town's SHI because they are all rental units.

Mr. Barton noted that he also designed the architecture for Davis Place in Acton. He explained the design of the proposed project: The building is a two – three story structure; the elevation along Massachusetts Avenue is two stories, and the three stories as the grade drops to the rear of the property; there is a flat roof design with the intention of putting heat pumps on the top of the building hidden by a parapet, a flat roof was chosen to keep the height of the building down at the street front; all entrances are fully accessible with a central corridor and elevator; resident amenities are located on the ground floor; a community room and small deck are located on the second floor; a wraparound porch extends from the front of the building along Massachusetts Avenue to the west side of the building; lighting is minimal – only pedestrian level full cut off lighting will be installed in compliance with Town Bylaws, there will be no building lighting or pole lighting and no lighting along the western edge of the property; the height of the building is slightly over 32-feet on the back side.

Ms. Guichard confirmed the height of the building from the proposed plans and noted that the applicant does not need to ask for a waiver from the height requirements as the maximum height in this zoning district is 36 feet.

Mr. Kozik asked for comments from any Town Boards, Committees or other agencies.

Ms. Tavernier, Chair, Acton Community Housing Corporation noted that the Applicant has worked with the ACHC and the Town through the proper process and explained that this project would bring the

Town close to safe harbor status. She noted the need in Town for the proposed level of affordability specifically for seniors.

Ms. Cronin, Executive Director, Acton Housing Authority, provided statistics on the need for senior housing. She noted there are 160 people on the waiting list for AHA and 70 are local; turnover is slow because the senior demographic tends to stay until their end of life; the wait list goes back to 2013.

Ms. Kolb noted the AHA Board supports this project.

Mr. Honn, Chair, Design Review Board, stated the DRB submitted design comments, but are in favor of this project. He noted there is some concern about the western neighbor and suggests providing additional landscaping for screening. He suggested a green roof for additional outdoor space, if financially feasible and suggested possible CPA funds.

Mr. Van Meter, member, Acton Community Housing Corporation, noted that statistics show a need for senior housing. He also read comments from Ms. Franny Osman in support of the project.

Mr. Kozik asked members of the public if they had any additional comments.

Ms. Friedrichs stated there was so much of the project that she loved, but, the units are too small; 41 parking spaces were not enough for 31 units; there should be fewer units; they should save trees and questioned the need for a public tree hearing; there should be a wraparound porch; suggested existing apartments on Route 2A should be purchased instead; questioned non-profit developers salaries; stated that the units are too small like stuffing hamsters into cages. She stated the AHA wait list only had 12 people waiting for one bedroom units; stated notification process should be expanded.

Mr. Kozik asked the Applicant if all the trees proposed for removal were on the property of 446 Massachusetts Avenue. The Applicant confirmed.

Ms. Borrows, member of Acton Commission on Disabilities, stated that the Town needs housing for people and that trees and traffic can be worked out; this project is for people.

Ms. Ryan-Friend stated the notification process was insufficient and that neighbors are alerted late in the process and end up looking like the bad people; stated that schools should be contacted for their input/it's too close to the High School, concern about the traffic; construction should occur in the summer; project is too large, like a cruise ship parked in a residential area; stated it was a great idea but main objection is the location/stated concern about 40Bs in the Tuttle Drive area where she lives, wishes there was somewhere else to put it.

Mr. Bartl noted that the AB Schools were notified and provided no comment.

Mr. Kozik asked Ms. Tavernier the process for notifications on 40Bs. Ms. Tavernier explained the legal notification process (mailings to abutters, notification in newspaper twice, posting on town website and at town hall and the sign up for notifications option) and the Town's additional policies and meeting notifications for various meetings that precede the 40B public hearing (BOS, ACHC).

Mr. Peddagali stated his property abuts the parking lot; noted concern about the traffic and location to the schools. He asked if the number of units or size of the building could be reduced.

Mr. Austin stated his support for the project, stated he was proud of Acton and hope it goes forward. Mr. Richardt stated his support for the project and corrected Ms. Friedrichs' comment regarding the wait list. He noted that 70 people are on the wait list, not 12, and that 12 people are on the wait list for accessible units.

Ms. Johnson stated she likes the project, but would like to see more outdoor space to socialize.

Mr. Kozik asked the Applicant if the number of parking spaces would be sufficient for the number of units proposed. Mr. Joncas stated they based the number of parking spaces off the ratio of parking spaces and units of another senior residence apartment building in Methuen.

Mr. Kozik asked the Applicant where people will socialize and how they will provide screening to the abutter. Mr. Barton noted there is a farmer's porch, back deck, small lawn and a small area in the back. He noted a landscape architect prepared the landscape plan submitted as part of the application; Mr. Joncas noted he already spoke to the abutter and will continue to work with him to provide screening.

Mr. Kozik asked and Mr. Joncas explained how the number of 31 units was arrived at.

Ms. Ying asked how the Applicant will address the Building Department's comments. Mr. Joncas noted they saw the comments today and will be meeting with the Building Department and Engineering Department to address them.

Ms. Ying asked if there would be full time staff. He stated there will be part time staff on site.

Ms. Ying asked where snow storage will be located. Mr. Joncas stated that if snow removal is required that will be part of the management companies responsibilities.

She asked if units could be a little smaller to make more room for social activity space.

Mr. Joncas noted that the 1960's garden apartments style with smaller units are not accessible, the units they have proposed a slightly larger to accommodate accessibility requirements.

Mr. Hoffman asked what would happen once the tax credit expires. Mr. Joncas stated that they are proposing all units be affordable in perpetuity and that this could be included as a condition of a decision. Mr. Hoffman suggested hybrid vehicle plug in stations.

Outstanding items to be addressed prior to the next public hearing are Building and Engineering Department comments and having further discussions with the direct abutter, Mr. Peddagali.

Ms. Ying moved to continue the hearing to July 23, 2018 in the Acton Town Hall. The Applicant agreed. The motion was seconded by Mr. Hoffman and carried unanimously.

Elect Officers

Mr. Hoffman nominated Mr. Kozik as chairman for the Board of Appeals. Ms. Ying seconded the motion. Mr. Kozik abstained. The motion carried unanimously.

Minutes of July 2, 2018

Mr. Hoffman made a motion to approve the minutes from 7/2/18, as written. Ms. Ying seconded the motion. The motion carried unanimously.

The meeting was adjourned at 9:30PM.

Respectfully Submitted,
Kristen Guichard