

ACTON COMMUNITY HOUSING CORPORATION

Pursuant to notice given a Regular Meeting of the Acton Community Housing Corporation (ACHC) was held February 7, 2008 at 7:00 PM in room 126 of the Acton Town Hall. Present and constituting a quorum for the purpose of conducting business were: Dan Buckley, Kevin McManus, Naomi McManus and Nancy Tavernier
Finance Committee Representative: Pat Clifford

1). Nancy Tavernier, Chair, called the regular Meeting to order at 7:00 PM.

2). Financial Report

The members reviewed Ms. Tavernier's memo to the Acton Selectmen regarding the ACHC's anticipated spending over the next six months for either continuing or new affordable housing initiatives. The Selectmen's approval is required under the terms of the ACHC's Home Rule Petition.

Anticipated spending:

A). Down Payment Assistance

Budget of \$10,000 to \$25,000 for down payment assistance to First Time Homebuyers of deed restrictive units.

B). Administrative Expenses

Budget of \$15,000 from CPA funds to replenish ACHC's Administrative Fund from 2005 which will be used to fund supplies, postage, bond insurance for Treasurer, legal expenses, conferences and publications.

2). Updates

A). Willow Central

The lottery was held with 11 applicants of whom 4 were local with 1 minority brought over from the at large pool and added to local pool. Of the 11 applicants 2 had 5 member households. Discussion followed concerning the possibility that the local winner of the three bedroom unit may need financial assistance for closing costs. The family anticipates using Bank America's Soft Second Loan program.

The Acton Housing Authority has responded to the developer regarding his response to their RFP.

B). Condo Buydown

The Acton Housing Authority's Board is still deciding on which unit they will purchase using the ACHC's subsidy of \$100,000.

3). Old Business

A). ACHC's Tax Exempt Status

Ms. Tavernier reported that Peter Farrell is waiting for feedback from Town Counsel regarding the ACHC's approach to the IRS in seeking a tax exempt status under 501(c)(3) using the definition of a governmental instrumentality having charitable purpose. Kevin McManus will contact Mr. Farrell and discuss whether Town Counsel is required to review and recommend approval to the

Selectmen based on the ACHC's Home Rule petition Section 2 (c) or whether ACHC can use Section 2 (n) that allows the ACHC to proceed with the filing without approval. That would be ACHC's preference.

Excerpts from the Home Rule petition:

Section 2 (c):

(c) With the approval of the Board of Selectmen, to make and execute all contracts and all other instruments necessary or convenient for the exercise of its powers and functions, subject the approval of the Town Counsel of the Town of Acton as to form. OR

Section 2 (n)

(n) To do any and all things necessary or convenient to carry out its purposes and exercise the powers conferred by this act; provided, however, that said board of directors may delegate to any committee or member of said board any action which said board is empowered to do or make or which said board shall have power to conduct by itself

B). CPA Update

Ms. Tavernier stated that she had been contacted by the instructor of Boston's Homeowner 201 Class and he has agreed to do a class in Acton in late August or September 2008.

C). Somerset Hills Project

The ACHC is waiting to hear from the consultant of the project regarding whether any eligible applicants had come forward. The members discussed that possibility of the developer reducing the price of the units by \$15,000 for an eligible applicant.

D). Towne Building Project

Ms. Tavernier reported that thanks to several area residents the new name for the building will be the Old High School Commons. The developer, Steve Joncas of Common Ground met with Acton Selectmen on February 4, 2008 to present the proposed plans for the rehab of the building. The Acton Selectmen have been asked by Massachusetts Housing Partnership (MHP) to submit comments on the proposed project within 30 days. Ms. Tavernier reviewed ACHC's letter to MHP in which she detailed the ACHC's history of the proposed project and urged MHP to fast track the project's eligibility approval which will enable the developer to apply for a Comprehensive permit as soon as possible.

K). Kelley's Corner Initiative by Steinberg-Lalli

Ms. Tavernier reported on a meeting with Steve Steinberg, the developer, and two Selectmen in which his original plans were revised and he is now proposing a 4 unit project on the site. He plans to use the original home and build 3 additional units which will be sold to first time homebuyers at \$150,000.

4). New Business

Trammel Crow Concord's 40B

Ms. Tavernier reviewed her draft comments to the Acton's Board of Appeals regarding the Application for a Comprehensive Permit for the 350-unit apartment located at 48 Old Powder Mill Road in West Concord. Her comments related to the fact that the sole access to the 350 units in Concord is through the Town of Acton and therefore the ACHC believes that gives the Town the opportunity to seek mitigation in a number of areas including the provision of affordable housing as outlined below:

- 1). Allocation of 10% of the units to Acton's subsidized housing inventory.
- 2). Eligible Acton local preference applicants be given equal standing to Concord applicants and be included in the 70% of the units set aside for local preference, including three bedroom units.
- 3). And that the ACHC oppose granting the following waivers requested by Applicant:
 - A). Affordable Dwelling Units
ACHC believes information regarding the affordable dwelling units even though they are not located in Acton should be provided to the Town.
 - B). Unit Composition Schedule
ACHC believes information regarding the affordable dwelling unit composition even though they are not located in Acton should be provided to the Town.
 - C). Market Study
ACHC believes a Market Study on impact of this development in Acton should be required.
 - D). Local Needs
ACHC believes it is imperative that the Applicant provides to the Town information on how the project will relate to the health or safety of the prospective occupants of the apartment community in Concord and the residents of Acton.

Naomi McManus moved to approve and submit Ms. Tavernier's draft memo as written to the Acton Board of Appeals. Nancy Tavernier seconded the motion and all members voted in favor of the motion.

5). The Regular Meeting adjourned at 8:45 PM and the next Regular Meeting was scheduled for February 21, 2008 at 7:00 PM.

Respectfully submitted,

Naomi McManus, Clerk