

**ACTON COMMUNITY HOUSING CORPORATION**  
**Minutes Thursday, December 16, 2010**  
**Room 126 Acton Town Hall**

Pursuant to notice given a Regular Meeting of the Acton Community Housing Corporation (ACHC) was held on December 16, 2010 at 6:45 PM in room 126 of the Acton Town Hall. Present and constituting a Quorum for the purpose of conducting business were regular members Nancy Tavernier, Bob Van Meter and Corrina Roman-Kreuze. Dan Buckley, Associate Member was appointed a voting member for this meeting.

Guests: Janet Adachi, Member Board of Selectmen. Pat Clifford, Finance Committee. Roland Bartl, Planning Department. Ryan Bettez, Planning Board.

Nancy Tavernier, Chair called the meeting to order at 6:45 PM. Nancy Tavernier and Corrina Roman-Kreuze acted as Clerks for this meeting.

Nancy Welcomed Roland Bartl and Ryan Bettez to the ACHC meeting to have a conversation regarding Affordable Housing as part of the planning process in proposed developments in town.

Nancy gave an overview of affordable units which have been acquired since 1993 through voluntary contributions. These acquisitions did not necessarily give something to the developer in exchange. Nancy noted that a change occurred with the Bravo project development – across from Trader Joe's. ACHC did ask for a financial contribution for affordable housing, but nothing came from the developer. This was a turning point.

Nancy went on to point out the West Acton Trio development on Spruce and Arlington - seven residential units with commercial under could have been another opportunity for an affordable unit.

Roland and Nancy discussed Village at Monument Place on Harris – these were by right units. Mark White did drainage work on Main and sidewalk so no further donations were offered. This was negotiated at the staff level as no special permit was required.

Roland commented that when small projects (4-6 units) come before planning, that the thought is it is too small to include an affordable unit. Perhaps think of using this as an opportunity to leverage funds or land donation which can be used towards affordable housing.

Nancy indicated that ACHC now had funds available so that we can contribute towards the construction cost of a unit. Bob: Can Planning ask early for developer to talk to ACHC. We can provide funds we are looking for aggressive action on affordable housing. Nancy remarked that these funds can even be an offsite location and/or land. ACHC could develop an RFP as we did with Willow Central – this would fall under Chapter 40B.

Roland indicated that he appreciated the reminder. Ryan gave the example of Mill Corner donating design work for the Willow Central Project.

Discussion turned to Quail Ridge – consider affordable piece to it as housing was already planned for this area.

What is in it for the developer? Expediting of permit, general feeling of good will. Roland outlined difficulties with developers and timing of submittal. The example of 99 Parker Street was given.

For West Acton Trio, a similar problem where packets cannot be turned around fast enough if developer is late or Planning Department is swamped.

Nancy pointed out that there needs to be a process with a timetable for 40B projects. This piece needs to be stream lined, all concerns should be addressed **before** the Board of Appeals.

Roland and Ryan suggested that Guidelines for Affordable Housing in Acton be put on website. Roland recommends reference to the Town's Comprehensive Permit Policy. Roland indicated that developers think LIP is more paperwork. Nancy outlined the time savings up front if the developer goes this route getting BOS and ACHC approval up front.

Roland offered some additional changes to the Guidelines for Affordable Housing in Acton document.

The process stops when filed with Board of Appeals; need procedure written out. Town Counsel wrote streamlined process for small projects. Where does this stand? Challenges identified: All volunteer board for ZBA. Generate templates?

ACHC requested that affordable housing be put back into the conversation that Planning has with developers.

*Roland Bartl, Corrina Roman- Kreuze and Janet Adachi had to leave the meeting at this point to attend CPC's meeting.*

Discussion with Ryan continued

Ryan mentioned that most of the developments in front of the Planning Bd. for the past year or so are with a small number of units, too small to require or request an affordable unit. He equates the request for affordable units to the standard request made for a sidewalk or a contribution to the sidewalk fund. The problem is how to know how much to request.

ACHC is looking for affordable units, cash contributions to affordable housing or pieces of land that it could develop. How to put teeth in the request is the problem, the developer has to feel he is getting something for his contribution. Expediting the special permitting could be the sweetener for developers. The 1990 Master Plan had better incentives for creating affordable units, that all changed in the 1998 update in an effort to stem residential growth.

Acton 2020 should be asked to consider inclusionary zoning, ACHC members need to participate and give input about how to add units without doing 40B's. There will be burning issues meeting in March and a large public outreach meeting in May. On inclusionary zoning, the number of units and the

percentage that should be affordable, e.g. 10%, needs to be determined. Acton does not have that much vacant land left to develop to allow new large subdivisions.

#### I. Financial Report

Jennifer absent so no report.

#### II. Minutes of 11/18/10 were approved.

#### III. Updates

Towne building is not going to be funded by Mass Housing Partnership, the funding has shifted to DHCD. MHP was instrumental in pushing the development of the Towne building. They prepared the feasibility study and worked with ACHC early in the process to develop a proposal. The project is expected to close by mid-January. ACHC has offered to help coordinate a ground breaking.

Quail Ridge, no update since BOS discussions are in executive session. The sense was no sense of urgency since the site is in bankruptcy.

#### IV. Old Business

Nancy reported she gave the CPA presentation on Dec. 9, there were few questions. She explained to the CPC at length the condo buydown program challenges.

The Westside Village owners finally received permission from the Town and DHCD to refinance their second mortgage.

Nancy will prepare a draft letter for the BOS putting forth ACHC's proposal to have town boards consider affordable housing options when ever discussion about purchasing town land is initiated as well as asking developers for contributions to affordable housing.

#### V. New Business

Avalon Acton report.

Complaints received by Town Social Worker about people who do not have the financial capacity to meet their rental obligation. Sense is they are not being adequately checked before signing a lease. Other complaints are about security deposits that are not being returned, fees charged at move out, etc. These are tenants of the affordable units. Three of the tenants are on SSI and that is their sole income.

Nancy read through the recorded ZBA decision and the regulatory agreement signed between the Town and Woodlands of Laurel Hills, the original developer. All regulatory obligations carry over to the subsequent owners, Avalon Acton. The regulatory agreement signed in 2006 gives the Subsidizing Agency, MassDevelopment, the responsibility to hire a Monitoring Agent to oversee the rental of the affordable units only. Their job is to approve tenants for the affordable units and review the files and rents being charged. Spectrum Enterprises of Maine is the Monitoring Agent. They only check to be sure the incomes do not exceed the limit, there is no minimum income restriction. He does not check

on tenants annually but is only required to do so every 5 years. This is a concern if people over income are residing there and preventing others from moving in.

ACHC will continue to monitor the situation and will ask Laura Ducharme to keep us updated.

Next Meeting will be January 6, 2011 at 7PM. The January 20 meeting will be cancelled.

Meeting adjourned at 8:15PM

Statement of Documents used for this meeting:

Minutes of 11/18/10

Letter from attorney for Towne Building project re: DHCD funding

Affordable housing milestones

Guidelines for Affordable Housing Development in Acton

Notes on Avalon Acton report