

ACTON COMMUNITY HOUSING CORPORATION
Minutes Tuesday, February 8, 2022 – online via Zoom

Pursuant to notice given, a Regular Meeting of the Acton Community Housing Corporation (ACHC) was held on Tuesday, February 8, 2022 at 4PM via zoom. Present and constituting a Quorum for the purpose of conducting business were regular members Janet Adachi, Andy Richardt, Bernice Baran, Judy Hodge, Bob VanMeter, and associate member Dan Buckley. Janet designated Dan as a voting member for today's meeting.

Lara Plaskon from RHSO serves as ACHC's off-board Clerk and was present for the meeting.

Guests:

- Louis Levine – Attorney for Parker Street Realty Trust; Richard Bendetson, Samantha Bendetson, Todd Wilson – Parker Street Realty Street; Alissa Nicol, Nancy Corcoran, Mary Lynn Miller, Royce Fuller, Richard Keleher – community members; David Martin & Fran Arsenault – Select Board

Janet Adachi, Chair, called the meeting to order at 4:01 pm. Janet read the updated meeting notice, including guidelines for public participation in the meeting.

4:00 PM Appointment, Louis Levine, Esq. and representatives of Parker Street Realty Trust, owner of Parker Street Apartments, 68 Parker Street:

- Proposal for sewer connection and deed restriction
 - Lou Levine explained that he has been discussing this project with the Town for several months – the owners have owned the property for over 30 years – 78 rental units, and now want to connect to the sewer instead of septic; they are looking for some concessions to the sewer connection fee in exchange for preserving the affordability of the units
 - Units are naturally affordable – rents are \$900-\$1,200/month
 - Initial conversations with Town Manager (TM) re: restricting rents to 60% AMI for 10 years, but TM wanted permanent affordability so that units could be added to SHI; new proposal is to permanently restrict 8 units to 80% AMI
 - Richard Bendetson (one of the owners) explained the housing – rents have consistently been affordable for 30 years; they would like to keep the property affordable, but they need assistance due to the sewer expense; He reports that units are in good shape and they continually do improvements; they have no intention to tear the development down to build something with more expensive rents
 - Question from Bernice – asked for clarification of proposal – connect to sewer instead of septic; Lou Levine clarified that the Select Board would still need to approve the sewer connection; this would not be a 40B, just deed restriction
 - Question from Bob – possible to commit to keeping rents of all units restricted to 60% AMI for 10 years in addition to restricting 8 units permanently? Owner is open to this.

- Question from Andy – clarification of what concessions they are seeking – asking for waiver of sewer connection fee, not waiver of ongoing sewer bills?; Andy has concern that the sewer connection fee is there for a reason – does Town have the financial capacity to waive the fee? Lou Levine pointed out that the Town has historically waived sewer connection fees in support of affordable housing; Janet clarified that ACHC would have to defer to the Select Board on making the decision on the fee reduction (2/3 reduction from what fee would be)
- Question/Comment from Dan – voiced agreement with Andy – sounds like an expensive way to get 8 affordable units – Richard said they've shown their commitment by keeping rents affordable for the past 30 years
- Question from Bernice – she asked for a description of units – size, condition, etc.; Owner stated that they have a good record with the Town; 51 1-bed, 24 2-bed (500-650 sq. feet)
- Question/Comment from Alissa Nicol (community member) – expressed gratitude that these units have existed at the low affordability level; concern that switching to sewer would lead to increased costs to the owner and that would lead to increased rents; voiced support for restricting all units for some period of time
- Janet asked for comments about how the ACHC would like to proceed
 - Judy thinks it would be great to have 8 additional SHI units, and all the other units restricted for 10 years – in short, she likes the proposal
 - Dan thinks it would be worth it given the numbers
 - Lara pointed out that this proposal would need to be approved for addition to the SHI by DHCD and that there is a process to do this
 - Bernice moved that the ACHC is generally supportive of the proposal to restrict 8 units for 30 years and the rest of the units for 10 years pending confirmation that the 8 units could be added to the SHI; Bob seconded – motion passed unanimously

5:00 PM: Appointment, Kristen Guichard, Acton Planning Director:

- Draft Guidelines, Ch. 40A multi-family zoning requirement for MBTA communities
 - Town is currently in the exploratory phase of understanding the guidelines to ensure compliance and remain eligible for State grant programs
 - Deadline – December 2024 to ultimately comply with the law, but some sooner deadlines to indicate progress
 - Kristen will be giving presentation to the Select Board sometime in March – this is one of the State's requirements
 - Multi-family districts required within a half mile of MBTA station/parking lot; State understands that there are constraints like wetlands, etc. so will allow Towns to go beyond the half mile to find reasonable parcels; Requirement that the district be 50 acres – at least one area with 25 contiguous acres and no area can be less than 5 acres
 - Minimum unit capacity – zoning for Acton must be able to accommodate 1,383 units – these units do not have to be built, but the zoning must be able to

- accommodate this many units; minimum gross density of 15 units/acre
- Make sure there aren't regulations in the zoning that interfere with fair housing, such as limiting the number of bedrooms per unit
- State sees this as a sustainability issue as well as an economic development issue
- No mandate for this law, but the "stick" for non-compliance would be that the Town is no longer eligible for a variety of State funds that the Towns has historically benefited from quite a bit
- Town is planning a lot of community conversations to hear what residents think as well as analysis for how to best proceed
- Bob clarified that 25 acres need to be within ½ mile of MBTA station and additional 25 acres could be within 1 mile
- Kristen pointed out that there is a small district in South Acton already zoned for multi-family (with special permit requirement), so Town has already done similar things on its own
- Comment from Bernice – AHA did a study a while back regarding sites that would be appropriate for affordable housing before they chose the Main Street site, and she doesn't recall that there are sites within the designated range; Dan expressed confidence that we could find 50 acres
- Kristen commented that this isn't planning for the next 5 years, but for the next 30 years
- Community member Mary Lynn Miller – clarified that the zone could include areas where there are already existing buildings, but multi-family could be built in the future; Question about whether the Town could change the zoning back at any point in the future – Kristen replied that it would have to be reported to the State and would have to go through the process of changing zoning (Town Meeting, etc.)
- Community member Richard Keleher – concern about finding 25 acres within a half mile; suggested that the Planning Dept. draft what the results of these changes would look like; visual aids would be helpful to comprehend the implications of this law
- Community member Royce Fuller – clarification on what Town would lose if non-compliant – Kristen replied that the Town currently takes advantage of many grant programs such as Housing Choice Initiative (AHA has taken much advantage of this), Local Capital Project Funds, MassWorks project funds (Town just recently received \$1mil); State could also take non-compliance into consideration with other grants; Clarified that building can happen over time – does not need to happen immediately
- Janet suggested providing list of projects in Town that have benefited from State funds
- Possible revisions, Acton accessory apartment zoning provision
 - Kristen reported that draft proposal will be in front of the Planning Board next week for discussion; already presented to Housing for All; planning to present to Commission on Disabilities
 - See Kristen's Powerpoint on the proposed changes for (included with the

statement of documents presented at this meeting) for more details on the proposal – goal is to increase housing opportunities in Acton

- Bernice – loves the proposal and think there's a tremendous need for it
- Andy – also fully in support of proposal – shows Acton's leadership among towns in regards to ADUs
- Judy – also fully in support of proposal; Judy's husband is an architect and has worked on plans for ADUs – will share with Town
- Janet – expressed enthusiasm
- Community member Royce Fuller – clarification that ADU would be on same deed as original structure – Kristen confirmed; he is supportive of this idea
- Alissa – excited about progress; voiced concern about volume of buildings; suggested parking consideration be incorporated in guidelines; Kristen replied that there are some restrictions already, but she will look at the language
- Kristen invited ACHC to attend the Planning Board meeting on 2/15 to voice support if board would like

I. Regular Business

- **Minutes** – The minutes from 1/11/22 were read– Bernice moved to approve minutes and Bob seconded – a roll call vote was taken and the motion passed unanimously.

- **Financial Report**

Andy reported the following:

- \$60K was provided from Town and deposited in bank so check could be written to Habitat – line item under gift funds for 670 Mass Ave sale proceeds are \$60K less than last month
- Total ACHC assets as of 1/31/22 –\$129,322.32
- Balance for undesignated gifts funds is \$238,926.22. (excludes \$7,500 earmarked for monitoring or RHSO)
- Total all funds (checking account + gift funds + CPA) = \$537,346.62
- Janet and Andy affirmed that they have both reviewed the monthly financial statements.
- Bob moved to accept financial report and Judy seconded – roll call vote was taken and the motion passed unanimously.

- **Regional Housing Services Offices Update**

Lara reported the following:

- Suzy Solomon started work as the 5th RHSO staffperson.
- Lara has been in touch with an affordable owner who would like to refinance to discuss the process
- Two affordable owners have contacted the RHSO because they would like to sell their units – one in the Somerset Hills development and one in Acton Meadows. They are both in the beginning stages of the sale process.

- **Chair Update**

Janet reported the following:

- Meeting packets are on Town website in docushare – Janet encouraged ACHC members to review packet over the weekend and contact Janet if you have problems with the link.
- McManus Manor (AHA project) looking for ACHC endorsement of One Stop funding application – see support letter in Statement of Documents
- Janet’s perspective on CPC funding changed after meeting – see relevant agenda item in Old Business below for more details
- Janet attended webinar on MBTA communities
- Fair Housing Testing – delay in moving forward; ACHC can work on other fair housing issues in the meantime
- Powder Mill Apartments – Janet will try to find out status from Town Planner

- **Member Reports** - none

II. **New Business**

- **Tenant-advocate proposal** –

- Select Board has discussed the issue and they want to study the issue further before considering whether a Town position of a tenant advocate would be appropriate
- Bob shared the resolution that he is looking for the ACHC to support
- Bernice continues to have reservations about the Town serving this role
- Dan suggested that MetroWest Legal Services is already available and that this issue is “outside ACHC’s lane”
- Lara shared that the Town has put resources for tenants on its website and will be assessing how many phone calls and website hits they get searching for those resources.
- Judy is glad that the Town is attempting to address this issue and expressed that she would like to see opportunities for renters to be more integrated into the Town.
- Janet will put consideration of endorsing the resolution Bob presented on the agenda for the March meeting since today’s agenda didn’t leave enough time for a full discussion.
- Community member Royce Fuller – disclosed he is a landlord and doesn’t feel the proposal is balanced; State of MA is known for its strong laws protecting tenants
- Community member Nancy Corcoran – voiced concern that there is no documentation for the need for this position
- Bob’s response – resolution calls for study of need; FT position in Town government isn’t only way to address issue

III. Old Business

- **26 Carlisle Rd** – Authorization of Chairman to execute grant agreement – Janet has not yet given funds to Habitat because she wants to execute a grant agreement first, and wants Town Counsel to review
 - Bob moved to give Janet authorization, Bernice seconded – roll call vote was taken and the motion passed unanimously.
- **Select Board prioritizing of 2022 Community Preservation Act fund applications**
 - Janet went to CPC meeting and heard all of the meritorious applications, some of which seem to have fewer resources available than ACHC; one CPC member voiced concern that some applicants were going to both ACHC and CPC for grants even though original source of both funds would be CPA
 - Select Board made recommendations to the CPC regarding the priority of funding requests – ACHC and RHSO requests were classified as high priority by the Select Board

IV. Future Agenda Items

- **ACHC program forms, guidelines** – update – We need a document that explains how grants to private citizens serve the public interest

Bob moved to adjourn the meeting at 6:49pm and Dan seconded. Lara took a roll call vote – motion passed unanimously.

The next ACHC meeting will be on March 8, 2022

STATEMENT OF DOCUMENTS PRESENTED AT THIS MEETING:

Agenda, February 8, 2022

Draft Minutes from January 11, 2022

Financial Reports through 1/31/22, including bank account and housing gift funds

Louis Levine email to Town Manager regarding 68 Parker Street, 9/29/21

Louis Levine email to Town Manager regarding 68 Parker Street, 11/15/21

2022 Project Application List for CPA funding

Select Board Priority Groups for Town Projects that applied for CPA funding

Town Planner Powerpoint – Accessory Apartment Bylaw, Proposed Changes, 2/8/22

Town Planner Memo to Town Manager re: MBTA Communities Draft Guidelines, 1/20/22

Proposed resolution in support of a tenant advocate/coordinator

Bob Van Meter Powerpoint re: Why Acton needs a tenant advocate/liaison

Memo from Town Manager to Select Board re: proposal for tenant advocate, 1/18/22

Resources for Renter page from Town website, 1/28/22

ACHC Letter of support for 362-364 Main Street/McManus Manor