

***Department of Housing and Community
Development***

Local Initiative Program

Application for Comprehensive Permit

Powder Mill Place

Acton & Maynard MA

July 23, 2018

MASSACHUSETTS
 Department of Housing and Community Development
Local Initiative Program
Application for Comprehensive Permit Projects

INSTRUCTIONS

Please submit three copies of the application and attachments. Note: only one set of site plan and sample elevations (attachments 11 and 12 noted on page 22) are required. An application fee, payable to the Department of Housing and Community Development, shall be submitted with the application. The schedule of fees is as follows:

	Project Fee	plus	Per Unit Fee
Municipality	\$1,000		\$30
Non-Profit	\$1,750		\$40
All Others	\$4,000		\$50

Mail to:

Local Initiative Program
Department of Housing & Community Development
100 Cambridge Street, Suite 300
Boston, MA 02114
Attn: Alana Murphy, Deputy Associate Director

To complete the application electronically, simply position your cursor on a line and type. Use the tab key to move between questions.

If you have any questions, please refer to the DHCD 40B Guidelines, specifically Section VI. For further assistance, contact Alana Murphy at 617-573-1301 or alana.murphy@state.ma.us.

NOTE: For Rental Projects, to complete information on Project Feasibility (Section X), go to the One Stop Application at <http://www.mhlc.com> and complete Section 3 Sources and Uses and Section 4 Operating Pro Forma. Submit the sections with the Application

Application Contents:

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| <ul style="list-style-type: none"> I. General Information II. Community Support III. Municipal Contact Information IV. Development Team V. Project Information VI. Site Information VII. Design and Construction | <ul style="list-style-type: none"> VIII. Surrounding Area IX. Financing X. Project Feasibility XI. Development Schedule XII. Marketing Outreach and Lottery XIII. Checklist of Attachments |
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January 2016

MASSACHUSETTS
 Department of Housing & Community Development
Local Initiative Program
Application for Comprehensive Permit Projects

I. GENERAL INFORMATION

Community: Acton and Maynard, Massachusetts
 Development: Powder Mill Place
 Site Address: 2,4,12,18 Powder Mill Road, Acton, Massachusetts
114A, 114B, 114.5,116,117, 118 Powder Mill Road, Maynard, MA
 Developer: Apartments at Powder Mill, LLC

1. Type of Housing:
 Single Family house Rental
 Condominium Age Restricted

2. Project Characteristics:
 New Construction Conversion
 Rehabilitation Other

3. Acton
 Total Acres 10.47 Density of Project (units/acre) 16.52
- Maynard
 Total Acres 2.18 Density of Project (units/acre) 37.16
- Total Acres: 12.65 Density of Project (units/acre) 20.08

4. Unit Count: Acton
- Total Number of Units 180
 Market Rate 135
 Affordable 45

Unit Count: Maynard

Total Number of Units 74
 Market Rate 55
 Affordable 19

Total Number of Units 254
 Market Rate 190
 Affordable 64

5. Unit Prices/Rents:
 Market Rate \$1,900 - \$2,700 per month plus utilities
 Affordable \$1,270 - \$1,585 per month plus utilities

Required Signatures for the
Comprehensive Permit Project Application
Chief Executive Official
of Municipality:

Chair, Local Housing Partnership
(if applicable):

Signature: _____

Signature: _____

Print Name:

Print Name: _____

Date: _____

Date: _____

II. COMMUNITY SUPPORT

1. Letter of Support from Municipality - Attach a letter containing a short narrative on the basics of the project, the history of the project, the ways in which the community is providing support, and how the development team has addressed any concerns the community has. The letter must be signed by the chief elected official of the community.

2. Letter of Support from Local Housing Partnership - If the community has a housing partnership, please attach a letter from them indicating their support for the project. The letter should summarize how the partnership has been working with the developer.

3. Local Contributions - Check off all that apply and provide a brief description at the end.

- Land donation (dollar value _____)
- Building donation (dollar value _____)
- Marketing assistance
- Other work by local staff
- Density increase
- Waiver of permit fees
- Other regulatory or administrative relief (specify) _____
- Local funds (cash)
Amount \$ _____ Source: _____
- HOME funds
- Agreement by a lender to provide favorable end-loan financing (ownership projects only)
- Other (specify) _____

Briefly explain the contributions: _____

4. Municipal Actions and Local Plans - Briefly describe how the project fits with any planning the community has done (e.g. master plan, community development plan, affordable housing plan) and other local land use and regulatory actions that provide the opportunity for affordable housing (including multi-family and overlay districts, inclusionary zoning by-laws and ordinances).

Both the Towns of Acton and Maynard have created and approved a Housing Production Plan. In the Town of Maynard, the effective date for the HPP is January 14, 2016. The Town is in compliance with the plan if at least .5% (22-units) of affordable to low and moderate-income households have been produced during one calendar year. The town

of Acton Housing Production Plan (dated July 12, 2015 and as amended on October 24, 2015) targets at least an annual .75% increase in its Chapter 40B subsidized housing inventory. As of the date of this application, neither Town has been able to achieve the objectives set forth in their housing production plans. For both Acton and Maynard, their respective plans cite the use of Chapter 40B as one approach to achieving elderly, subsidized, and affordable housing to achieve the Stat's specified 10% minimum. 6.5% of Acton's housing stock is deemed affordable. In Maynard, they have achieved 8.3% of their housing stock as being affordable. Both Maynard and Acton wish to provide an adequate supply and range of housing types including both ownership and rental opportunities and an adequate supply of housing to meet the needs and income levels of diverse individuals and families including seniors, town employees and lower to moderate income members of their community who are being priced out of their respective Towns. Development of the proposed project will help both Town achieve their 10% goal while providing both Towns two-year safe harbor from other 40B applications.

III. MUNICIPAL CONTACT INFORMATION - ACTON

Chief Elected Official

Name Katie Green, Chair, Acton Board of Selectmen
Address 472 Main Street, Acton, MA 01720
Phone 978 897-8457
Email boss@acton-ma.gov

Town Administrator/Manager

Name John S Manglaratti
Address 472 Main Street, Acton, MA 01720
Phone 978 929-6611
Email manager@acton-ma.gov

City/Town Planner (if any)

Name Roland Bartl, Town Planner
Address 472 Main Street, Acton, MA
Phone 978 264-9636
Email planning@acton-ma.gov

City/Town Counsel

Name Steve Anderson, Esq.
Address 50 Milk Street, 21st Floor, Boston, MA 02109
Phone 617-621-6500
Email sanderson@andersonkreiger.com

Chairman, Local Housing Partnership (if any)

Name Nancy Tavernier
Address 472 Main Street, Acton, MA 01720
Phone 978-263-9611
Email ntavern@comcast.net

Community Contact Person for this project

Name Nancy Tavernier
Address 472 Main Street, Acton, MA 01720
Phone 978-263-9611
Email ntavern@comcast.net

MUNICIPAL CONTACT INFORMATION - MAYNARD

Chief Elected Official

Name Chris DiSilva
Address 195 Main Street, Maynard, MA 01754
Phone 978 897-1301
Email cdsilva@townofmaynard.net

Town Administrator/Manager

Name Andrew Scribner-MacLean (Acting Town Administrator)
Address 195 Main Street, Maynard, MA 01754
Phone 978 897-1375
Email ascribner@townofmaynard.net

City/Town Planner (if any)

Name Bill Nemser
Address 195 Main Street, Maynard, MA 01754
Phone 978 897-1302
Email bnemser@townofmaynard.net

City/Town Counsel

Name Adam J. Costa, Esq.
Address 30 Green Street, Newburyport, MA 01950
Phone 978-463-7700
Email adam@bbmatlaw.com

Chairman, Local Housing Partnership (if any)

Name Rich Lefferts, Chair
Address 195 Main Street, Maynard, MA 01754
Phone 978 897-1275
Email bnemser@townofmaynard.net

Community Contact Person for this project

Name Andrew Scibner-MacLean
Address 195 Main Street, Maynard, MA 01754
Phone 978 897-1302
Email ascribner@townofmaynard.net

IV. DEVELOPMENT TEAM INFORMATION (include all development members)

Developer

Name Apartments at Powder Hill, LLC – Vincent Cuttone, Manager
Address 205 Willow Street, Waltham, MA 02453
Phone 781-330-3005
Email vcuttone@protechtowing.com
Tax ID Available Upon Request

Contractor

Name None selected at this time
Address _____
Phone _____
Email _____
Tax ID _____

Architect
Name Gate 17 Architecture, LLC - Timothy Wentz, AIA
Address 35 Grove Street, Haddonfield, NJ 08033
Phone 858-454-9034
Email tim@gate17architecture.com
Tax ID Available Upon Request

Engineer
Name Goldsmith, Prest & Ringwall – Bruce Ringwall (“GPR”)
Address 39 Main Street, Suite 301, Ayer, MA 01432
Phone 978-772-1590
Email brinewall@gpr-inc.com
Tax ID Available Upon Request

Attorney
Name D’Agostine, Levine, Parra, Netburn, P.C. – Louis Levine (“DLPN”)
Address 268 Main Street, Acton, MA 01720
Phone 978-263-7777 x 224
Email llevine@dlpnlaw.com
Tax ID Available Upon Request

Development Consultant
Name Equity Alliance LLC – Joel Kahn
Address 7 Rolling Woods Drive, Bedford, NH 03110
Phone 603 472-3808
Email jkahn@equity-alliance.com
Tax ID Available Upon Request

Marketing/Lottery Agent
Name SEB, LLC – Brian Engler (“SEB”)
Address 165 Chestnut Hill Avenue, Unit #2, Brighton, MA 02135
Phone 617-782-2300 x 205
Email brian@s-b.com
Tax ID Available Upon Request

TEAM EXPERIENCE – DEVELOPER/CONTRACTOR QUALIFICATIONS

Complete the charts on the following pages for all housing projects undertaken by the developer and the contractor during the past five years. Include projects currently in construction. Provide owner references for each project, including a current phone number. Alternatively, a resume outlining the experience that covers the items listed on the chart below may be submitted.

1. Joel Kahn, Development Consultant to Owner

Project Summary	Project #1	Project #2	Project #3	Project #4
Project Name:	Tidewater at Salisbury	Balsam Place	Village Green -Littleton	Avalon - Acton
Community Address:	191 Beach Road Salisbury, MA	100 Balsam Place Tewksbury, MA	15 Great Road Littleton, MA	1000 Avalon Drive Acton, MA
Housing Type:	Rental	Rental	Rental	Rental
Number of Units:	210	192	144	390
Total Development Costs:	\$45+/- m	\$43 +/- m	\$31 +/- m	\$78+/- m
Subsidy Program (if applicable):				
Date Completed:	June, 2016	January, 2018	October, 2015	2007
Reference: Name and Telephone #:	Cindy Nix 603-294-0421	Marc Ginsburg 978-851-9907 x 11	David Hale 978-505-1720	David Hale 978-505-1720

2. Contractor: Not Selected at this Time – To be Determined

Project Summary	Project #1	Project #2	Project #3	Project #4
Project Name:				
Community Address:				
Housing Type:				
Number of Units:				
Total Development Costs:				
Subsidy Program (if applicable):				
Date Completed:				
Reference: Name and Telephone #:				

3. Other Chapter 40B Experience

Have you or any members of your team had previous Chapter 40B experience with DHCD and/or other subsidizing agencies? Yes No

If yes, please explain. In addition to the development consultant (Equity), DLPN, GPR and SEB have been involved in a number of 40B projects.

4. Bankruptcy / Foreclosure

Have you or any entities you control ever filed for bankruptcy or have had a property foreclosed? Yes No

If yes, please explain. _____

DEVELOPER CERTIFICATION

The undersigned hereby certifies that he/she is Manager (Title) of Apartments at Powder Mill, LLC (Legal Name of Applicant) and that the information requested below for the project known as Powder Mill Place (Project Name) is complete and that all information contained in this application is true and correct to the best of his/her knowledge. The undersigned Developer agrees to execute DHCD model documents, as required. If the Developer is other than a non

profit corporation or public entity, the Developer hereby certifies that it shall comply with all reporting requirements described in 760 CMR 56.00 and as set forth in the LIP Guidelines.

Signature of Developer 

Print Name: Vincent Cuttone, Manager

Date July 21, 2018

V. PROJECT INFORMATION

1.	Type of Housing:	Total Number of Units-Acton
	Single-Family House	<u>0</u>
	Condo	<u>0</u>
	Rental	<u>180</u>
	Other	<u>0</u>

Type of Housing:	Total # of Units-Maynard
Single-Family House	<u>0</u>
Condo	<u>0</u>
Rental	<u>74</u>

Type of Housing:	Total Units
Single Family House	<u>0</u>
Condo	<u>0</u>
Rental	<u>254</u>
Other	<u>0</u>

2. Total Number of Units - Acton Affordable 45 Market 135
 Total Number Units- Maynard Affordable 19 Market 55

3.	Project Style:	Total Number of Units
	Detached single-family house	<u>0</u>
	Rowhouse/townhouse	<u>0</u>
	Duplex	<u>0</u>
	Multifamily house (3+ family)	<u>0</u>
	Multifamily rental building	<u>254</u>
	Other (specify)	<u>0</u>

4. Is this an age-restricted (55+) Development? Yes No
 If yes, please submit a marketing study that demonstrates an understanding of the region's demographics, market demand and the particular strategies necessary to attract buyers to both market and affordable units.

5. Estimate the percentage of the site used for:
Acton
 Buildings 12.11% Parking & Paved Areas 17.9%

Usable Open Space 33.2% Unusable Open Space 36.8%

Maynard

Buildings 31.5% Parking & Paved Areas 30.1%
Usable Open Space 38.4% Unusable Open Space 0%

6. Is any portion of the project designed for non-residential use? No
If yes, explain the non-residential uses. _____
7. Sustainable Development Design and Green Building Practices

In accordance with the Sustainable Development Principles adopted by Governor Patrick's Administration in 2007, DHCD encourages housing development that is consistent with sustainable development design and green building practices. For more information, see Appendix VI.A-1 and VI.B-1 of the 40B Guidelines for a list of links to resources and opportunities related to sustainable development.

- A. How will this development follow Sustainable Development Principles?
Powder Mill Place, a multi-family development of 4 buildings plus a clubhouse consisting of 254 dwelling units, reusing a former industrial site, follows the following Sustainable Development Principals:

Concentrate Development and Mix Uses: by housing all 254 units in four buildings creates a much more compact footprint than traditional single family or townhouse developments resulting in greater open space not only on the property itself, but also the overall town population. Protect Land and Ecosystems: the property backs up to the Assabet River and respects riparian boundaries in excess of 50 feet. This provides recreational use along the river. Use Natural Resources Wisely: the buildings conserve natural resources by being constructed of largely recycled materials. Again, the buildings being multi-story promotes efficient use of the land. Expand Housing Opportunities: 254 units will provide housing for the town population wishing to move out of single family homes along with providing low income families with opportunities to stay in the town. Increase Jobs and Business Opportunities: it's expected that during the 24 months of construction, more than 500 workers will be provided with jobs.

A significant area of impervious surface will be removed from the 200-foot Riverfront Area along the Assabet River and replaced with pervious area which will contact waterfront and passive recreational amenities, thereby increasing open space as well as recreational opportunities, as well as providing potential wildlife habitat along the River's edge. An existing building which also lies in the Riverfront Area will be removed. Removal of other buildings currently discharging roof runoff to the surface. Roof runoff will be collected and infiltrated back into the ground to improve on site recharge. Parking will be provided under buildings thereby reducing impervious surfaces on site. Stormwater management will use recognized Best Management Practices (BMP's) which will improve water quality and reduce the quantity of runoff leaving the site. Post development will provide a greater recharge volume and much cleaner recharge to the groundwater. Project to loop the water main on the subject site. Infrastructure improvements as necessary will be performed by the applicant.

- B. How will the project maximize energy efficiency and meet Energy Star Standards?

As well as Energy Star appliances, the buildings will meet the Massachusetts Stretch Code resulting in a 15% increase in energy efficiency than the current building codes.

C. What elements of “green design” are included in the project (e.g. reduction of energy and water consumption, increasing durability and improving health)?

The following design items reduce energy and water consumption: High performance HVAC systems; Water saving faucets and shower heads, Water saving lavatories, Tankless hot water heaters, Energy Star rated appliances.

8. Project Eligibility

A. Have you ever applied for a project eligibility letter involving any portion of the site, or are you aware of any prior application for a project eligibility letter involving any portion of the site?

Yes No If yes, explain.

B. Has the municipality denied a permit on another proposal for this site within the last 12 months? Yes No

9. Outstanding Litigation

Is there any outstanding litigation relating to the site? Yes No
If yes, explain.

10. Unit Composition

Complete the chart below. Include a separate entry for each unit type according to its square foot/age and/or sales price/rent.

Type of Unit	# of Units	# of Bdrms	# of Baths	Gross Sq. Ft.	# of Parking Spaces	Sales Price/Rent	Condo Fee	Handicap Accessible
Affordable								
Acton	<u>17</u>	<u>1</u>	<u>1</u>	<u>761</u>	<u>1.8 p/unit</u>	<u>\$1,271</u>	<u>N/A</u>	<input checked="" type="checkbox"/> #16
Acton	<u>22</u>	<u>2</u>	<u>2</u>	<u>870-1,062</u>	<u>1.8 p/unit</u>	<u>\$1,539</u>	<u>N/A</u>	<input checked="" type="checkbox"/> #23
Acton	<u>6</u>	<u>3</u>	<u>2</u>	<u>1,327</u>	<u>1.8 p/unit</u>	<u>\$1,932</u>	<u>N/A</u>	<input checked="" type="checkbox"/> #5

Maynard	<u>8</u>	<u>1</u>	<u>1</u>	<u>761</u>	<u>1.8 p/unit</u>	<u>\$1,271</u>	<u>N/A</u>	<input checked="" type="checkbox"/> # <u>10</u>
Maynard	<u>10</u>	<u>2</u>	<u>2</u>	<u>870-1,062</u>	<u>1.8 p/unit</u>	<u>\$1,539</u>	<u>N/A</u>	<input checked="" type="checkbox"/> # <u>9</u>
Maynard	<u>1</u>	<u>3</u>	<u>2</u>	<u>1,327</u>	<u>1.8 p/unit</u>	<u>\$1,932</u>	<u>N/A</u>	<input checked="" type="checkbox"/> # <u>1</u>
Acton	<u>52</u>	<u>1</u>	<u>1</u>	<u>761</u>	<u>1.8p/unit</u>	<u>\$1,900</u> <u>\$2,050</u>	<u>N/A</u>	<input checked="" type="checkbox"/> # <u>46</u>
Acton	<u>68</u>	<u>2</u>	<u>2</u>	<u>870-1,062</u>	<u>1.8p/unit</u>	<u>\$2,300</u> <u>\$2,450</u>	<u>N/A</u>	<input checked="" type="checkbox"/> # <u>67</u>
Acton	<u>15</u>	<u>3</u>	<u>2</u>	<u>1,927</u>	<u>1.8 p/unit</u>	<u>\$2,700</u>	<u>N/A</u>	<input checked="" type="checkbox"/> # <u>16</u>
Maynard	<u>24</u>	<u>1</u>	<u>1</u>	<u>761</u>	<u>1.8 p/unit</u>	<u>\$1,900</u> <u>\$2,050</u>	<u>N/A</u>	<input checked="" type="checkbox"/> # <u>29</u>
Maynard	<u>27</u>	<u>2</u>	<u>2</u>	<u>870-1,062</u>	<u>1.8p/unit</u>	<u>\$2,300</u> <u>\$2,450</u>	<u>N/A</u>	<input checked="" type="checkbox"/> # <u>28</u>
Maynard	<u>4</u>	<u>3</u>	<u>2</u>	<u>1,327</u>	<u>1.8p/unit</u>	<u>\$2,700</u>	<u>N/A</u>	<input checked="" type="checkbox"/> # <u>4</u>

VI. SITE INFORMATION

1. Acton
Total Acreage: 10.47 Total Buildable Acreage: 6.69

Maynard
Total Acreage: 2.18 Total Buildable Acreage: 2.18

2. Describe the current and prior uses of the subject site:
Industrial and Warehousing
Single Family Residential

Existing buildings on site? Yes No

If yes, describe plans for these buildings:

All buildings to be demolished except for two single family homes that are to be moved within the site.

3. Current Zoning Classification:

Acton

Residential _____ (minimum lot size) _____

Commercial _____ Industrial _____ Other PM (Business District)

Maynard

Residential Single Residential

District 1 (minimum lot size) 10,000 sq. ft.

Commercial _____ Industrial _____ Other _____

4. Does any portion of the site contain significant topographical features such as wetlands?

Yes No If yes, how many acres are wetlands? Acton: 0.5 acres
Maynard: N/A

If yes, attach map of site noting wetland areas.

Is map attached? Yes No

5. Is the site located within a designated flood hazard area?

Yes No

If yes, please attach a map of the site with flood plain designations.

Is map attached? Yes No

6. Is the site or any building located on the site listed, nominated or eligible for listing on the National Register of Historic Places? Yes No

7. Is the site within a Historic District? Yes No

If yes, describe the architectural, structural and landscape features of the area:

8. In the past three years, have there been any defaults on any mortgage on the property or any other forms of financial distress?

Yes No If yes, please explain: _____

9. Indicate which utilities are available to the site:

Public Sewer Private Septic Public Streets
Public Water Private Wells Private Ways
Natural Gas Electricity
On-site Sewer Treatment Facility
Other Explain:

10. Describe any known or suspected hazardous waste sites on or within a 1/2 mile radius of the project site.

110 Powder Mill Road Acton (off-site) – Opposite side of Powder Mill Road from 2 Powder Mill Road property - The site was first reported to the MassDEP in March 1999 based on a ground water release of dichloroethene and

trichloroethene at concentrations of 0.006 mg/liter and 1.8 mg/liter. On April 30, 1999 the MassDEP issued a Notice of Responsibility and to sign the release tracking number RTN 2–12748. An October 1999 “Initial Site Investigation Activities and Response Action Outcome Report” was completed and filed with the Massachusetts DEP by GZA GeoEnvironmental Inc. GZA identified the primary migration pathway as dissolve VOC's flowing from the site to the north/northeast discharging ultimately to the Assabet River. The subject property at 2 – 4 Powder mill Road is within this migratory pathway. GZA concluded that the contaminant concentrations in soil, soil gas and groundwater at the 111 Powder Mill Road property do not present a significant risk and as a result filed a Class B – 1 Response Action Outcome (RAO) for the site indicating that no remedial action was required and that a deed restriction was not necessary to maintain this level of No Significant Risk. On June 16, 2010 MassDEP issued a “Notice of Audit Findings/Notice of Noncompliance” (NOAF/NON) for the property at 109/111 Powder Mill Road. The 109 and 110 Powder Mill Address refers to the same property. The MassDEP instructed the property owner to conduct subslab vapor sampling and indoor air sampling at the residential properties (114 1/2, 116 and 118 Powder Mill Road) north of Powder Mill Road in response to the NON. The residences occupy the land between 110 Powder Mill Road and 2 Powder Mill Road. Based on the indoor air sampling results Woodard and Curran concluded that the indoor air quality at 114 ½, 116 and 118 Powder Mill Road do not pose a significant risk for a lifetime exposure to residential occupants and that further remediation to achieve background was categorically infeasible. According to GZA, the MassDEP orally agreed to this conclusion and Woodward and Curran linked RTN 2–17922 with RTN 2–12748 for 109 Powder Mill Road. A June 13, 2011 "Response to Notice of Audit Findings/Notice of Noncompliance" was filed by GZA on behalf of the current owner of the property Hewlett-Packard. Based on this additional groundwater data and the indoor air data collected at the residential properties on the opposite side of Powder Mill Road, GZA concluded that there was No Significant Risk to the any occupants of the residential buildings at one 114 1/2, 116, and 118 Powder Mill Road. GZA concluded that the supplemental data support the 1999 Class B-1 RAO filed for the RTN 2–12748.

- Chromium and Lead concentrations were identified in soils in the northern area of the site. The concentrations in some samples exceed those previously identified at the site. These concentrations exceed the 120-day reportable concentrations for residential soils (RCS-1). The chromium and concentrations were assessed in the context of the previously identified chromium concentrations. The chromium was determined through lab tests that it was predominately the lower impact trivalent form of chromium. The lead in soil needs to be addressed under the MassDEP regulations. Prior to MassDEP 120-day reporting notification, the soil lead levels were reviewed in the context of the history of site development and construction age of the buildings present at the property. Many of the buildings were constructed during the period from 1952 through 1969. Lead based paints were likely used on the exteriors of these buildings prior to the banning of lead based paint products in the U.S. in 1977. The MassDEP lists reporting exemptions for certain materials when they are identified as residue from their original and intended application. Lead residuals in soils are exempt from 120-day notification (310 CMR 40.0317 (8)) when they are attributed to lead based paint applications. Based on this exemption, soil lead levels were not reported on the Release Notification Form which was submitted for PCB levels in soils as discussed in REC No. 2.

- A historical REC has been identified associated with the former environmental assessment and response activities associated with the RTN 2-0493. The presence of waste oil in shallow soils in the vicinity of the loading dock has resulted in a release of hydrocarbons to soils. The former had not met the timeline submittal obligations under the Massachusetts Contingency Plan associated with RTN 2-0493 and therefore the site defaulted to a Tier ID status. The new/current owner assumed 21E response actions from the former owner in a “white knight” role upon purchase of the property. The current owner filed a Phase I Initial Site Investigation and the release was classified as a Tier II site which is the lowest priority site within the Massachusetts 21E regulations. The site is currently within compliance with the MassDEP regulations. The current site conditions have not demonstrated that a Condition of No Significant Risk has not been achieved and as a result the site currently remains open with the MassDEP.

11. Has a 21E hazardous waste assessment ever been done on this site? If so, attach a summary of the filing. Yes No

12. What waivers will be requested under the comprehensive permit?

The developer is applying for a Comprehensive Permit under the Rules and Regulations as set forth by both the Acton and the Maynard Zoning Board of Appeals and pursuant to the provisions of M.G.L. Chapter 40B. The proponent is requesting, in writing, certain exceptions and waivers from certain zoning and other local regulations, as noted in the list below. All Massachusetts’ laws and regulations governing the project will be adhered to as required.

While the list is extensive and comprehensive, it illustrates which regulations, whether clearly stated as being applicable or implied, impact the proposed project. Many of the exceptions and waivers were generated due to the level of detail required as part of the initial application. The final plans, in certain cases, may result in a greater compliance with the appropriate rules and regulations or a need to request additional waivers.

The developer requests that the Zoning Board of Appeals grant relief from any other zoning requirement or other applicable local rule, regulation, bylaw or policy which the Acton and Maynard Zoning Board of Appeals determines to be applicable to the Project and which is not met by the current site plan. The waiver list (as listed below) will be updated as the project progresses through the process.

Town of Acton Zoning Bylaw (Last Amended December 2017):

Zoning District: Powder Mill District.

Section 3 – Table of Principal Uses

Requirement: Multifamily Dwelling is not a permitted use per the Table of Uses.
Request: Allow multifamily dwellings within the Powder Mill Road District.
Comment: Other multifamily dwellings are located within a very short distance. The location works well with many of the principals of the Massachusetts 2007 Sustainable Development Principles.

Section 3.3 – Residential Uses

Requirement: Not more than one Building for dwelling purposes shall be located upon a Lot
Request: Allow multiple Buildings to be constructed

Section 3.3.4 – Multifamily Dwelling

Request: Permit in the PM District, construction of a clubhouse and grounds maintenance facility to support the multifamily project.

Section 5 – Table of Standard Dimensional Regulations (Front yard setback)

Requirement: Minimum front yard of 30 feet.
Requested: A minimum front yard of 23 feet.
Comments: The current land uses create massive amounts of impervious area to the edge of the Assabet River. The design of the site has been to establish a natural buffer to the river and develop the site in a manner of redevelopment. Existing residential structures on the property are within 15-feet of the right of way. Our goal was to be setback further than existing structures.

Section 5 – Table of Standard Dimensional Regulations (Side yard setback)

Requirement: Minimum side yard of 20 feet.
Requested: A minimum side yard of 15 feet.
Comments: The current land uses create massive amounts of impervious area to the edge of the Assabet River. The design of the site has been to establish a natural buffer to the river and develop the site in a manner of redevelopment. The majority of the building is in Maynard and meets the Maynard 15-foot setback.

Section 5 – Table of Standard Dimensional Regulations (Floor area ratio)

Requirement: FAR of 0.20.
Request: Relief from the FAR.

Section 5 – Table of Standard Dimensional Regulations (Maximum Height)

Requirement: 40 feet
Request: Varies from building to building: Building A – 50' 8", Building B – 61' 6", Building C & D – 72' – 3".

Section 6.3 – Minimum Parking Space Requirements by USE

Requirement: Two spaces for each dwelling unit.
Request: Permit 1.65± spaces for each dwelling unit.

Section 6.7.1 - Cells

Requirement: Parking requirements shall be met by utilization of parking cells.
Request: Allow development of the site plan as proposed.

Section 6.7.2 – Set-Backs

Requirement: Restrict parking space or other paved surfaces within 30 feet of the front Lot line and within 10 feet of the side and rear lot lines.
Request: Allow development of the site plan and its parking as proposed.

Section 6.7.6 & 6.7.7 – Perimeter and Landscaping Requirements

Requirement: Create 10' foot bordered wide buffer strip and create landscaped islands areas for a minimum of 10% of the interior parking area.
Request: Allow development of the site plan and its parking as proposed.

Section 6.9 (in its entirety) – Special Provisions for Parking in the Village, Kelley’s Corner, and Powder Mill Districts

Requirement: The application must meet the standards set forth in this section.
Request: Allow development of the site plan and its parking as proposed.

Town of Acton Wetlands Protection Regulations

A waiver is requested from all local wetland regulations. The project will comply with the requirements of 310 CMR 10.00, the Wetlands Protection Act and its regulations and policies and the state Wetland Protection Act (M.G.L. Chapter 131). The Owners and contractors shall make application to the US EPA for a Notice of Intent, Construction Permit, under the National Pollutant Discharge Elimination System (NPDES) program, which also includes and specifies construction and on-going project related measures to control impacts to adjacent areas and water resources. Erosion prevention shall be consistent with current Massachusetts DEP policies. The project will be done as a redevelopment site under the MA Wetlands Protection Act and the associated Rivers Act with the post development better than the existing conditions.

Town of Acton Board of Health Rules and Regulations

A waiver is requested from all local Board of Health regulations. The project will comply with the requirements of the Massachusetts Department of Environmental Protection.

Town of Maynard Zoning Bylaw (Last Amended January 11, 2016):

Zoning District: Single Residence District.

Section 3 – Table of Principal Uses

Requirement: Multifamily Dwelling is not a permitted use per the Table of Uses.
Request: Allow multifamily dwellings within the Single Residence District.
Comment: Other multifamily dwellings are located within a very short distance. The location works well with many of the principals of the Massachusetts 2007 Sustainable Development Principles.

Section 4 – Table of Standard Dimensional Regulations (Front yard setback)

Requirement: Minimum front yard of 25 feet.
Requested: A minimum front yard of 23 feet.
Comments: The current land uses create massive amounts of impervious area to the edge of the Assabet River. The design of the site has been to establish a natural buffer to the river and develop the site in a manner of redevelopment. Existing residential structures on the property are within 15 of the right of way. Our goal was to be setback further than existing structures.

Section 4 – Table of Standard Dimensional Regulations (Maximum Height)

Requirement: 35 feet
Request: Varies from building to building: Building A – 50’ 8”, Building B – 61’ 6”, Building C & D – 72’ – 3”.

Section 6.1.5 – Parking Spaces Requirements

Requirement: 2 spaces per unit for Multiple Family units
Requested: 1.75 spaces per unit for Multiple Family units

Town of Maynard Wetlands Protection Regulations

A waiver is requested from all local wetland regulations. The project will comply with the requirements of 310 CMR 10.00, the Wetlands Protection Act and its regulations and policies and the state Wetland Protection Act (M.G.L. Chapter 131). The Owners and contractors shall make application to the US EPA for a Notice of Intent, Construction Permit, under the National Pollutant Discharge Elimination System (NPDES) program, which also includes and specifies construction and on-going project related measures to control impacts to adjacent areas and water resources. Erosion prevention shall be consistent with current Massachusetts DEP policies. The project will be done as a redevelopment site under the MA Wetlands Protection Act and the associated Rivers Act with the post development better than the existing conditions.

Town of Maynard Board of Health Regulations

A waiver is requested from all local Board of Health regulations. The project will comply with the requirements of the Massachusetts Department of Environmental Protection.

13. Describe the current status of site control and attach copies of relevant deeds or executed agreements.
- A. Owned by Developer _____
 - B. Under Purchase and Sale Agreement _____
 - C. Under Option _____

Seller: _____ Buyer: _____

Is there an identity of interest between the Buyer and Seller? If yes, please explain: N/A.

Date of Agreement Expiration Date

Extensions granted? Yes No Date of Extension _____

Purchase Price - Not Applicable

VII. DESIGN AND CONSTRUCTION

1. **Drawings**
Please submit one set of drawings.

Cover sheet showing written tabulation of:

- Proposed buildings by design, ownership type, and size. Identity and describe affordable units and handicapped accessible units.
- Dwelling unit distribution by floor, size, and bedroom/bath number
- Square footage breakdown of commercial, residential, community, and other usage in the buildings
- Number of parking spaces

Site plan showing:

- Lot lines, streets, and existing buildings
- Proposed building footprint(s), parking (auto and bicycle), and general dimensions
- Zoning restrictions (i.e. setback requirements, easements, height restrictions, etc).
- Wetlands, contours, ledge, and other environmental constraints
- Identification of affordable units
- Identification of handicapped accessible units.
- Sidewalks and recreational paths
- Site improvements, including landscaping
- Flood plain (if applicable)

Utilities plan showing:

- Existing and proposed locations and types of sewage, water, drainage facilities, etc.

Graphic depiction of the design showing:

- Typical building plan
- Typical unit plan for each unit type with square footage tabulation
- Typical unit plan for each accessible unit type with square footage tabulation
- Elevation, section, perspective, or photograph
- Typical wall section

2. **Construction Information**

<u>Acton</u>	#	# Aff.		#	# Aff.
<u>Foundations</u>	Mkt. Units	Units	Attic	Mkt. Units	Units
Slab on Grade	<u>129</u>	<u>44</u>	Unfinished	<u>0</u>	<u>0</u>
Crawl Space	_____	_____	Finished	_____	_____
Full Basement	_____	_____	Other	_____	_____
	#	# Aff.		#	# Aff.
<u>Exterior Finish</u>	Mkt. Units	Units	Parking	Mkt. Units	Units
Wood	_____	_____	Outdoor	<u>152</u>	<u>51</u>
Vinyl	<u>129</u>	<u>44</u>	Covered	_____	_____
Brick	_____	_____	Garage	<u>97</u>	<u>33</u>
Fiber Cement	<u>129</u>	<u>44</u>	Bicycle	_____	_____
Other- cultured stone	<u>128</u>	<u>44</u>			
	#	# Aff.		#	# Aff.
<u>Maynard</u>	Mkt. Units	Units	Attic	Mkt. Units	Units
<u>Foundations</u>	Mkt. Units	Units	Attic	Mkt. Units	Units
Slab on Grade	<u>61</u>	<u>20</u>	Unfinished	<u>0</u>	<u>0</u>
Crawl Space	_____	_____	Finished	_____	_____
Full Basement	_____	_____	Other	_____	_____
	#	# Aff.		#	# Aff.
<u>Exterior Finish</u>	Mkt. Units	Units	Parking	Mkt. Units	Units

Wood	_____	_____	Outdoor	<u>48</u>	<u>16</u>
Vinyl	<u>61</u>	<u>20</u>	Covered	_____	_____
Brick	_____	_____	Garage	<u>47</u>	<u>16</u>
Fiber Cement	<u>61</u>	<u>20</u>	Bicycle	<u>6</u>	<u>2</u>
Other-cultured stone	<u>61</u>	<u>20</u>			

Heating System

Fuel: Oil Gas Electric Other

Distribution method (air, water, steam, etc.): Forced Hot Air

Energy Efficient Materials

Describe any energy efficient or sustainable materials used in construction:

Vinyl Windows

Paint (low VOC)

Carpet and Pad (low VOC)

Drywall

MDF Doors

Energy Star Rated Appliances

Modular Construction

If modular construction will be used, explain here:

Not applicable

Amenities

Will all features and amenities be available to market buyers also be available to affordable buyers? If not, explain the differences.

Yes

VIII. SURROUNDING AREA

1. Describe the land uses in the surrounding neighborhood:

A mix of residential and commercial projects.

2. What is the prevailing zoning in the surrounding neighborhood?

Residential and commercial/businesses (PM Business District) (Single Family Residential – District 1)

3. How does the project’s proposed site plan and design relate to the existing development pattern(s) of the immediately surrounding area?

The Route 62 corridor contains a mix of single family, residential condominiums and multi-family residential projects including a number of retail/commercial projects providing goods and services to the community.

4. Describe and note distances to nearby amenities and services such as shopping, schools, parks and recreation, or municipal offices.

Acton Senior Center .25 miles
 Supermarket .5 miles
 Acton Town Hall 4.7 miles
 Maynard High School 1.9 miles
 Maynard Town Hall 1.7 miles
 Pratt Brooke Conservation Area 1.6 miles
 Maynard Golf Course 1.7 miles
 Assabet River Wildlife Refuge 3.5 miles
 Acton Boxborough Schools 3.7 miles

5. Explain how developing the site contributes to smart growth development in the area (e.g. mixed use, reuse, concentrated development).

The project reuses an industrial site and supports constructing of new rental units to meet the needs of people of all abilities and to provide new affordable units to help achieve each communities 40B requirements. The project uses different design to protect the surrounding wetlands and river frontage. The project is close to mass transit, and shopping and is proposed to be constructed to maximize efficiency. It is consistent with other apartment I projects in the area.

6. Is the site located near public transit (bus, subway, commuter rail, etc.)? If so, indicate the type, distance to the nearest stop, and frequency of service.

The Massachusetts Bay Transportation Authority rail station is located within 2.6 miles of the proposed project (Acton Station).

IX. FINANCING

1. Attach a letter of interest from a construction lender.

Are there any public funds to be used for this project? If yes, indicate the source, amount, use and status of funds:

None.

Describe the form of financial surety to be used to secure the completion of cost certification for this project

Cash Bond.

X. PROJECT FEASIBILITY

The section is for developers of home ownership projects.

Developers of multi-family rental projects must use the One Stop Application at <http://www.mhlc.com> and complete Section 3 Sources and Uses and Section 4 Pro Forma.

Ownership Pro Forma

	Total Costs	Per Unit	Per Sq. Ft.	% of Total
(a) Site Acquisition	\$ 5,250,000	\$ 20,669	\$ 18.05	8.9%
Hard Costs:	\$ Included			
Earth Work	\$ 2,339,500	\$ 9,210	\$ 8.04	4.0%
Site Utilities	\$ Included			
Roads & Walks	\$ Included			

	Site Improvement	<u>\$ Included</u>			
	Lawns & Planting	<u>\$ 300,000</u>	<u>\$ 1,181</u>	<u>\$ 1.31</u>	<u>.5%</u>
	Demolition	<u>\$ 700,000</u>	<u>\$ 2,756</u>	<u>\$ 2.41</u>	<u>1.2%</u>
	Unusual Site Conditions	<u>\$ Included</u>			
(b)	Total Site Work	<u>\$ 3,337,500</u>	<u>\$ 13,140</u>	<u>\$11.48</u>	<u>5.7%</u>
	Concrete	<u>\$ Included</u>			
	Masonry	<u>\$ Included</u>			
	Metals	<u>\$ Included</u>			
	Carpentry	<u>\$ Included</u>			
	Roofing & Insulation	<u>\$ Included</u>			
	Doors & Windows	<u>\$ Included</u>			
	Interior Finishes	<u>\$ Included</u>			
	Cabinets & Appliances	<u>\$ Included</u>			
	Plumbing & HVAC	<u>\$ Included</u>			
	Electrical	<u>\$ Included</u>			
(c)	Total Construction	<u>\$38,861,075</u>	<u>\$152,996</u>	<u>\$133.63</u>	<u>65.9%</u>
(d)	General Conditions	<u>\$ 2,400,000</u>	<u>\$ 9,449</u>	<u>\$ 8.25</u>	<u>4.1%</u>
(e)	Subtotal Hard Costs (a+b+c+d)	<u>\$49,848,575</u>	<u>\$196,254</u>	<u>\$171.41</u>	<u>84.5%</u>
(f)	Contingency	<u>\$ 2,000,000</u>	<u>\$ 7,874</u>	<u>\$ 6.88</u>	<u>3.3%</u>
(g)	Total Hard Costs (e+f)	<u>\$51,848,575</u>	<u>\$204,128</u>	<u>\$178.32</u>	<u>87.9%</u>
Soft Costs:					
	Permits/Surveys	<u>\$3,022,610</u>	<u>\$ 11,900</u>	<u>\$ 10.39</u>	<u>5.1%</u>
	Architectural	<u>\$ 606,400</u>	<u>\$ 2,387</u>	<u>\$ 2.09</u>	<u>1.0%</u>
	Engineering	<u>\$ 195,000</u>	<u>\$ 768</u>	<u>\$.67</u>	<u>.3%</u>
	Legal	<u>\$ 100,000</u>	<u>\$ 394</u>	<u>\$.34</u>	<u>.2%</u>
	Bond Premium	<u>\$ Included</u>			
	Real Estate Taxes	<u>\$ 125,000</u>	<u>\$ 492</u>	<u>\$.43</u>	<u>.2%</u>
	Insurance	<u>\$ 100,000</u>	<u>\$ 393</u>	<u>\$.34</u>	<u>.2%</u>
	Security	<u>\$ Included</u>		<u>\$</u>	
	Developer's Overhead	<u>\$ 450,000</u>	<u>\$ 1,772</u>	<u>\$ 1.55</u>	<u>.8%</u>
	General Contractor's Overhead	<u>\$ Included</u>			
	Construction Manager	<u>\$ 250,000</u>	<u>\$ 984</u>	<u>\$.86</u>	<u>.4%</u>
	Property Manager	<u>\$ Included</u>			
	Construction Interest	<u>\$1,400,000</u>	<u>\$ 5,512</u>	<u>\$ 4.81</u>	<u>2.4%</u>
	Financing/Application Fees	<u>\$ 600,000</u>	<u>\$ 2,362</u>	<u>\$ 2.06</u>	<u>.1%</u>
	Utilities	<u>\$ Included</u>			
	Maintenance (unsold units)				
	Accounting	<u>\$ 25,000</u>	<u>\$ 98</u>	<u>\$.09</u>	<u>.04%</u>
	Marketing	<u>\$ 115,000</u>	<u>\$ 453</u>	<u>\$.40</u>	<u>.2%</u>
(h)	Subtotal Soft Costs	<u>\$6,989,010</u>	<u>\$ 27,516</u>	<u>\$ 24.03</u>	<u>11.9%</u>
(i)	Contingency	<u>\$ 147,000</u>	<u>\$ 579</u>	<u>\$.51</u>	
(j)	Total Soft Costs (h+i)	<u>\$7,136,010</u>	<u>\$ 28,095</u>	<u>\$ 24.54</u>	<u>12.1%</u>
(k)	Total Development Costs (g+i)	<u>\$58,984,585</u>	<u>\$232,223</u>	<u>\$202.52</u>	<u>100%</u>

Profit Analysis (should conform to the pro forma)

Sources:

Affordable projected sales Not Applicable
Market sales Not Applicable

Public grants None
(A) Total Sources **\$58,984,585**

Uses:

Construction Contract Amount \$49,848,575 (subject to final bidding)
(B) Total Development Costs **\$58,984,585**

Profit:

(C) Total Profit (A-B) - Not Applicable
(D) Percentage Profit (C/B) - Not Applicable

Cost Analysis (should conform to the pro forma)

Total Gross Building Square Footage 290,811

Residential Construction Cost per Sq. Ft. \$202.52

Total Hard Costs per Sq. Ft. \$178.32

Total Development Costs per Sq. Ft. \$202.52

Sales per Sq. Ft. \$ - Not Applicable
(do not include proceeds from public grants)

XI. DEVELOPMENT SCHEDULE

Complete the chart below by providing the appropriate month and year. Fill in only as many columns as there are phases. If there will be more than three phases, add columns as needed. Need to breakup into phases

	Phase 1	Phase 2	Phase 3	Total
Number of affordable units	<u>64</u>			<u>64</u>
Number of market units	<u>190</u>			<u>190</u>
Total by phase	<u>254</u>			<u>254</u>

Please complete the following chart with the appropriate projected dates:

	Phase 1	Phase 2	Phase 3	Total
All permits granted	<u>12/31/18</u>			<u>12/31/18</u>
Construction start	<u>05/01/19</u>			<u>05/01/19</u>
Marketing start – affordable units	<u>04/01/20</u>			<u>04/01/20</u>
Marketing start – market units	<u>04/01/20</u>			<u>04/01/20</u>
Construction completed	<u>12/31/20</u>			<u>12/31/20</u>
Initial occupancy	<u>05/01/20</u>			<u>05/01/20</u>

XII. MARKETING OUTREACH AND LOTTERY

Affirmative Fair Housing Marketing Plan:

Please submit your Affirmative Fair Housing Marketing Plan (AFHMP), prepared in accordance with Section III of the 40B Guidelines, and a description of the lottery process that will be used for this project. This shall describe:

- Information materials for applicants that will be used that provides key project information;
- Eligibility requirements;
- Lottery and resident selection procedure;
- Any preference system being used (Note: if local preference is proposed for this project, demonstration of the need for local preference must be demonstrated and accepted by DHCD);
- Measures to ensure affirmative fair marketing including outreach methods;
- Application materials that will be used; and
- Lottery Agent.

XIII. CHECKLIST OF ATTACHMENTS

The following documentation must accompany each application:

1. Letter of support signed by Chief Elected Officer of municipality
2. Letter of support from local housing partnership (if applicable)
3. Signed letter of interest from a construction lender
4. Map of community showing location of site
5. Check payable to DHCD
6. Rationale for calculation of affordable purchase prices or rents (see Instructions)
7. Copy of site control documentation (deed or Purchase & Sale or option agreement)
8. Last arm's length transaction or current appraisal under by-right zoning
9. 21E summary (if applicable)
10. Photographs of existing building(s) and/or site
11. Site Plan showing location of affordable units
12. Sample floor plans and/or sample elevations
13. Proposed marketing and lottery materials

BrooklineBank

Timothy J. Steiner
Vice President
Brookline Bank
456 Main Street
Waltham, MA 02452

May 29, 2018

Vincent Cuttone
225 Park Lane
Concord, MA 02453

Dear Mr. Cuttone:

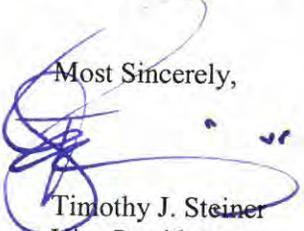
Thank you for your summary and discussions regarding the above referenced project. My understanding is that the project is to be constructed as a 40B rental development consisting of four multi-storied buildings containing a total of 254-units. It is my understanding that the buildings are designed to have one level of parking on the ground level. As described, the project which will include a mix of one, two, and three bedroom units. In addition, it is my understanding that the project will contain a number of amenities including a clubhouse, pool, fitness center, and walking paths along the river.

I am pleased to indicate that Brookline Bank is interested in considering providing the financing for this opportunity. We have worked with you in the past and find that you are more than capable of developing a large project and we are sure that you are capable of developing the property as required by the 40B rules and regulations. As you go through the permitting process with the various authorities and those authorities have questions, please have them contact me directly at (781) 697-3511.

This letter is provided for discussion purposes only and does not constitute an offer, agreement, or commitment to lend, modify, or amend the subject credit facility. The actual terms and conditions upon which the Lender might extend, modify or amend credit to the borrower are subject to satisfactory completion of due diligence, credit committee approval, satisfactory review of documentation and such other terms and conditions as are determined by the Lender and its counsel, in their sole discretion.

I look forward to working with you on this development.

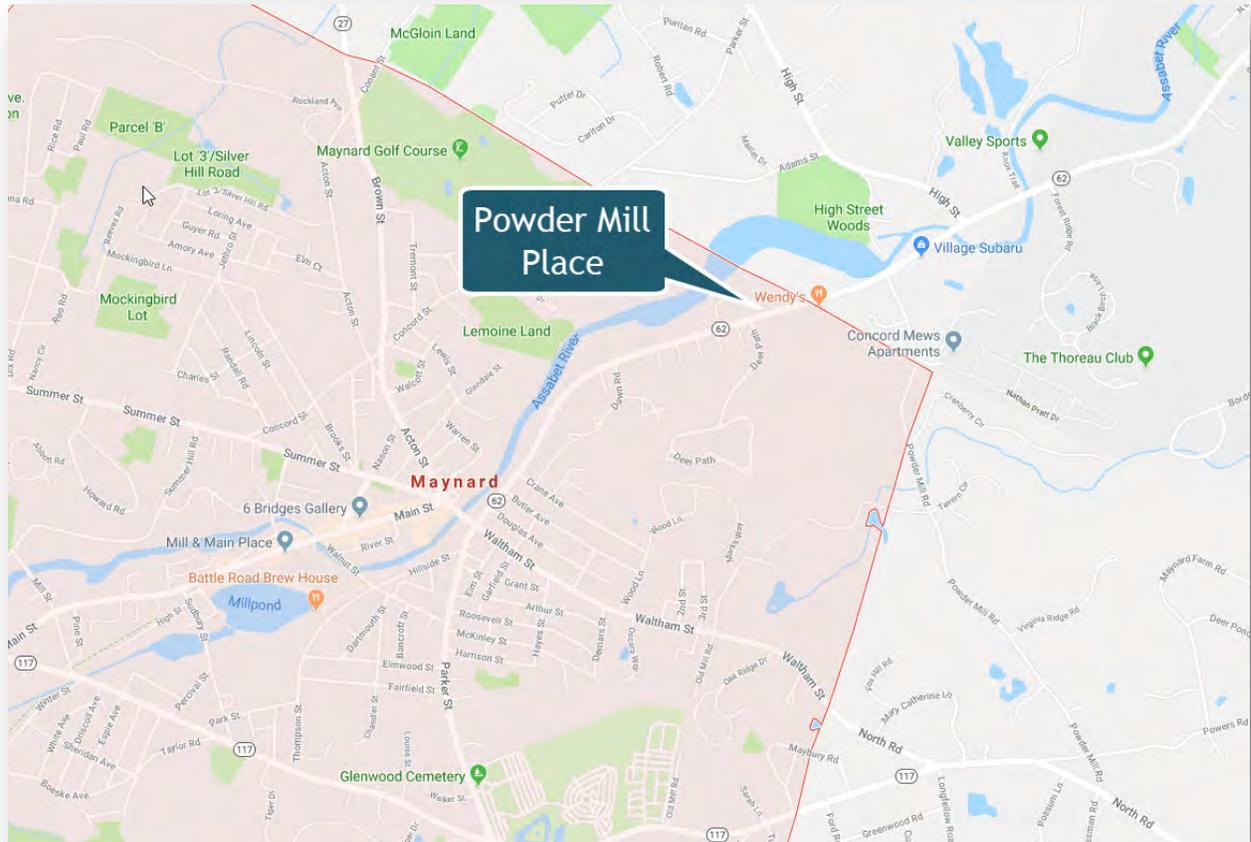
Most Sincerely,



Timothy J. Steiner
Vice President
Commercial Lending

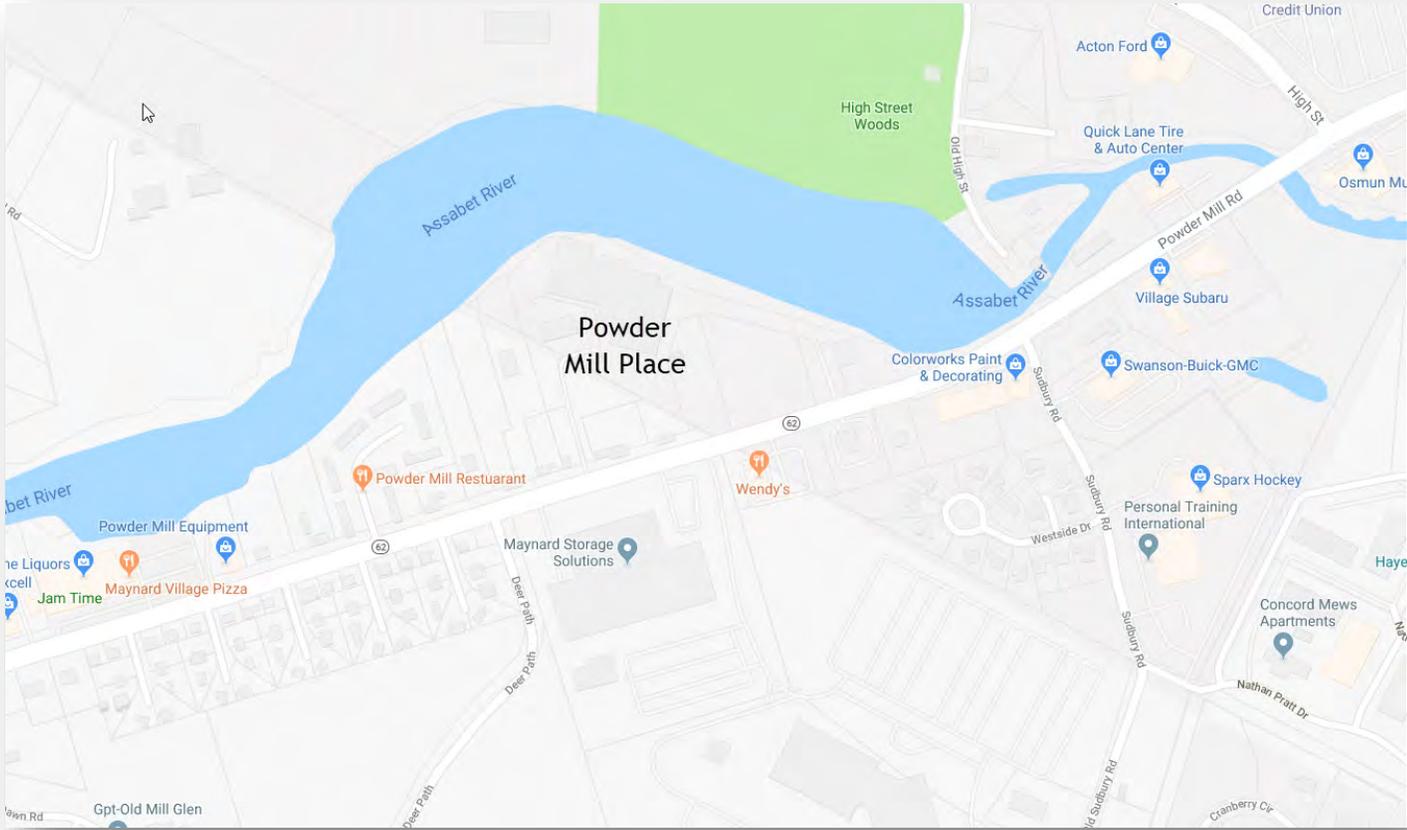
Powder Mill Place

Location Maps



Powder Mill Place

Location Maps



Powder Mill Place
Rationale for Calculation of
Affordable Housing Rents

Median Incomes are based on the most current HUD Estimates for Metropolitan Statistical Areas (MSAs). Income limits are adjusted annually to reflect the HUD figures in effect at that time. Affordable unit applicants must meet the program income limits in effect at the time they apply for a unit and must continue to meet the program income limits in effect at the time of all subsequent reviews until they purchase a unit. (for background on income limits visit: <https://www.huduser.gov/portal/datasets/il.html>)

Affordable unit rents are determined by creating a "window" of affordability based on rents equal to 80% of median income. Rents will include heat and utilities or a utility allowance as published by both the Acton and Maynard Housing Authority.

JB

LeClair & LeClair, P.C.
707 Main Street
Waltham, MA 02451



2016 00010615
Bk: 66698 Pg: 197 Doc: DEED
Page: 1 of 3 01/20/2016 03:42 PM

QUITCLAIM DEED

**2 Powder Mill Road
Acton, MA**

BARRY C. STEINBERG, sole surviving Trustee of the **MILLSTONE REALTY TRUST** under Declaration of Trust dated January 14, 1985, recorded with the Middlesex South Registry of Deeds in Book 16016, Page 304, of Marion, Massachusetts, for consideration of One Million Four Hundred Thousand Dollars and No Cents (\$1,400,000.00) paid, grant to **EXCAV LLC**, a Massachusetts limited liability company, having a principal office at 205 Willow Street, Waltham, MA 02453, with Quitclaim Covenants, the land with the buildings thereon situated in the towns of Acton and Maynard, Middlesex County, Massachusetts, bounded and described as follows:

A certain parcel of land, with the buildings and improvements thereon, shown on a plan entitled, "Plan of Land in Acton and Maynard, Mass., owned by JRS Realty Trust and Rex Chainbelt, Inc., dated January 16, 1985" recorded with the Middlesex South Registry of Deeds as Plan 175 of 1985 recorded in Book 16016, Page 314, and bounded and described as follows:

- SOUTHERLY by Powder Mill Road, as shown on said plan, thirty-nine and 47/100 (39.47) feet;
- WESTERLY by land of Augustyniak and Powder Mill Manufacturing Company, Inc., as shown on said plan, by two courses, one hundred sixty-five and 09/100 (165.09) feet and one hundred twenty-seven and 29/100 (127.29) feet;
- NORTHERLY by land of Powder Mill Manufacturing Co., Inc., as shown on said plan, one hundred seventeen and 40/100 (117.40) feet;
- EASTERLY by land of Powder Mill Manufacturing Co., Inc., as shown on said plan, by two courses, ten (10.00) feet and one hundred eleven and 01/100 (111.01) feet;
- SOUTHWESTERLY by land of said Powder Mill Manufacturing Co., Inc., as shown on said plan, one hundred twenty-five and 11/100 (125.11) feet;

MASSACHUSETTS EXCISE TAX
Southern Middlesex District ROD # 001
Date: 01/20/2016 03:42 PM
Ctrl# 237137 14920 Doc# 00010615
Fee: \$6,384.00 Cons: \$1,400,000.00

- SOUTHERLY by land of said Powder Mill Manufacturing Co., Inc., as shown on said plan, ninety-six and 89/100 (96.89) feet;
- WESTERLY by land of Sheehan and others, as shown on said plan, two hundred (200.00) feet, more or less;
- NORTHERLY by the approximate thread of the Assabet River, as shown on said plan, eight hundred sixty (860.00) feet, more or less;
- EASTERLY by land of owners unknown, as shown on said plan, three hundred fifty (350.00) feet, more or less;
- SOUTHWESTERLY by land of Candlewood Trust, as shown on said plan, two hundred fifty-nine and 96/100 (259.96) feet;
- SOUTHERLY by land of Candlewood Trust and others, as shown on said plan, by two courses, sixteen and 04/100 (16.04) feet and sixty-three and 66/100 (63.66) feet;
- SOUTHEASTERLY by land of Rex Chainbelt, Inc., as shown on said plan, one hundred nineteen and 96/100 (119.96) feet;
- EASTERLY by land of said Rex Chainbelt, Inc., as shown on said plan, one hundred nineteen and 88/100 (119.88) feet;
- SOUTHERLY by land of Moulton and Brown, as shown on said plan, two hundred eighty and 17/100 (280.17) feet;
- EASTERLY by land of said Brown as shown on said plan, one hundred five and 53/100 (105.53) feet; and
- EASTERLY by a curve having a radius of nineteen and 46/100 (19.46) feet, as shown on said plan, thirty and 58/100 (30.58) feet.

Said lot containing 6.55 acres, more or less, as shown on said plan, however otherwise bounded, measured or described.

Subject to a right of way twenty (20) feet wide, as shown on said plan.

Together with and with the benefit of rights of way as set forth in a deed from Charles H. Lord et al to Powder Mill Manufacturing Co., Inc., dated June 5, 1959 and recorded with Middlesex South District Deeds, Book 9387, Page 445.

Being the same premises conveyed to Millstone Realty Trust by deed dated December 13, 1984 recorded with the Middlesex South Registry of Deeds in Book 16016, Page 319.

Witness my hand and seal this 19th day of January, 2016.

MILLSTONE REALTY TRUST

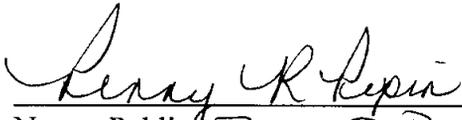


Barry C. Steinberg, Trustee of
Millstone Realty Trust

COMMONWEALTH OF MASSACHUSETTS

Bristol, SS.

On this 19th day of January, 2016, before me, the undersigned notary public, personally appeared Barry C. Steinberg, Trustee of the Millstone Realty Trust, proved to me through satisfactory evidence of identification, which is MA Drivers License to be the person whose name is signed on the preceding document, and acknowledged to me that ~~he~~ signed it voluntarily for its stated purpose.



Notary Public Penny R. Pepin
My Commission Expires: 4/8/2016

JJ

LeClair & LeClair, P.C.
707 Main Street
Waltham, MA 02451



Bk: 66698 Pg: 202 Doc: DEED
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MASSACHUSETTS EXCISE TAX
Southern Middlesex District ROD # 001
Date: 01/20/2016 03:42 PM
Ctri# 297138 16857 Doc# 00010617
Fee: \$3,192.00 Cons: \$700,000.00

QUITCLAIM DEED
4 Powder Mill Road
Acton, MA

BARRY C. STEINBERG, sole surviving Trustee of the **STONEMILL REALTY TRUST** under Declaration of Trust dated January 14, 1985, recorded with the Middlesex South Registry of Deeds in Book 16016, Page 308, of Marion, Massachusetts, for consideration of Seven Hundred Thousand Dollars and No Cents (\$700,000.00) paid, grant to **EXCAV LLC**, a Massachusetts limited liability company, having a principal office at 205 Willow Street, Waltham, MA 02453, with Quitclaim Covenants, the land with the buildings thereon situated in the towns of Acton and Maynard, Middlesex County, Massachusetts, bounded and described as follows:

A certain parcel of land with the buildings and improvements thereon shown on a plan of land entitled, "Plan of Land in Acton and Maynard, Mass., owned by JRS Realty Trust and Rex Chainbelt, Inc., dated January 16, 1985" recorded with the Middlesex South Registry of Deeds as Plan 175 of 1985 recorded in Book 16016, Page 314, and bounded and described as follows:

- SOUTHERLY by Powder Mill Road, as shown on said plan, by two courses, measuring respectively six (6.00) feet and one hundred twenty-two and 50/100 (122.50) feet;
- WESTERLY by land of Moulton and JRS Realty Trust, as shown on said plan, two hundred forty-four and 95/100 (244.95) feet;
- NORTHWESTERLY by land of JRS Realty Trust, as shown on said plan, one hundred nineteen and 96/100 (119.96) feet;
- NORTHERLY by land of said JRS Realty Trust, as shown on said plan, sixty-three and 66/100 (63.66) feet; and
- EASTERLY by land of Candlewood Trust, as shown on said plan, three hundred forty-four and 80/100 (344.80) feet.

Said lot measuring 41,275 square feet, however otherwise bounded, measured or described.

Being the same premises conveyed to Stonemill Realty Trust by deed dated December 13, 1984 recorded with the Middlesex South Registry of Deeds in Book 16016, Page 314.

Witness my hand and seal this 19th day of January, 2016.

STONEMILL REALTY TRUST

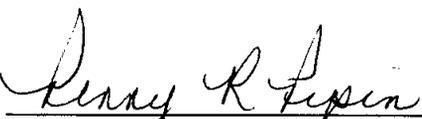


Barry C. Steinberg, Trustee of Stonemill
Realty Trust

COMMONWEALTH OF MASSACHUSETTS

Bristol, SS.

On this 19th day of January, 2016, before me, the undersigned notary public, personally appeared Barry C. Steinberg, Trustee of the Stonemill Realty Trust, proved to me through satisfactory evidence of identification, which is MA Drivers License to be the person whose name is signed on the preceding document, and acknowledged to me that he signed it voluntarily for its stated purpose.



Notary Public Penny R. Pepin
My Commission Expires: 4/8/2016

Da



Bk: 67508 Pg: 180 Doc: DEED
Page: 1 of 2 06/27/2016 02:42 PM

MASSACHUSETTS EXCISE TAX
Southern Middlesex District ROD # 001
Date: 06/27/2016 02:42 PM
Ctrl# 244861 09818 Doc# 00104551
Fee: \$6,384.00 Cons: \$1,400,000.00

QUITCLAIM DEED

MONIQUE MOONEY, (also known as Monique Marie Maillet), TRUSTEE OF GATEHOUSE REALTY TRUST, u/d/t dated April 9, 1993 recorded with the Middlesex South District Registry of Deeds in Book 23088, Page 463, of 150 Powder Mill Road Maynard, Middlesex County, Massachusetts 01754

For consideration paid, and in full consideration of, ONE MILLION FOUR HUNDRED THOUSAND AND NO/100 (\$1,400,000) DOLLARS

Grants to Powder Road LLC, of 205 Willow Street Waltham, Massachusetts 02453

With *QUITCLAIM COVENANTS*,

The land at 12 Powder Mill Road, Acton, Middlesex County, Massachusetts, more particularly bounded and described as follows:

PARCEL ONE:

A certain parcel of land with the buildings thereon, situated in Acton, Middlesex County, Massachusetts, marked "A" on a plan of land in Acton, owned by Alfred S. Carey, Jr., Horace F. Tuttle, C.E., October 26, 1948, recorded with Middlesex South District Deeds in Book 7377, Page 160, bounded and described as follows:

Beginning at the Southwesterly corner of the granted premises at an iron pipe at the Powder Mill Road in said Acton and at land now or formerly of Alfred S. Carey, Jr., and running thence by said Alfred S. Carey, Jr.'s land

North 4 degrees 19' West, three hundred and forty-four and 80/100 (344.80) feet to an iron pipe set in the ground at land now or formerly of C.D. Fletcher; thence running

North 85 degrees 24' East by said land of Fletcher, seventeen and 65/100 (17.65) feet to an iron pipe; thence still running by said land of Fletcher

South 63 degrees 51' East, forty-nine and 10/100 (49.10) feet to an iron pipe at land now or formerly of the American Cyanamid and Chemical Co., thence turning and running

South 4 degrees 19' East by land of said Company, three hundred and twenty (320) feet to said Powder Mill Road; thence turning and running

South 85 degrees 41' West by said Powder Mill Road, sixty (60) feet to the point of beginning.

Containing according to said plan 20,163 square feet of land, more or less.

This conveyance is made subject to the restriction that said premises shall not be used for automobile sales, automobile service and automobile repairs.

12 Powder Mill Rd, Acton

PARCEL TWO:

Another certain parcel of land with the buildings thereon situated in Acton, Middlesex County, Massachusetts, located north of Powder Mill Road and between said Powder Mill Road and the Assabet River in the Town of Acton, Massachusetts, and shown and designated as Lot 14 on a certain plan entitled "Land in Maynard and Acton, Mass., surveyed for the American Cyanamid & Chemical Corp. by Horace F. Tuttle, January 18, 1944," and recorded with Middlesex South District Deeds, at the end of Book 6739, bounded and described according to said plan as follows:

SOUTHERLY by Powder Mill Road, shown on said plan, there measuring one hundred eighty-two and 25/100 (182.25) feet;

WESTERLY by Lot 13, shown on said plan, there measuring three hundred and twenty (320) feet;

NORTHEASTERLY by Lot 10, shown on said plan, there measuring two hundred and eleven and 30/100 (211.30) feet; and

EASTERLY by Lot 15, shown on said plan, there measuring two hundred and thirteen and 24/100 (213.24) feet.

Containing according to said plan 48,500 square feet, more or less.

Said premises are conveyed subject to and with the benefit of any easements, rights, restrictions and agreements of record, if any there be, insofar as the same are now in force and applicable.

For title, see deed to the grantor recorded with said Deeds on January 12, 1990, in Book 23088, Page 470

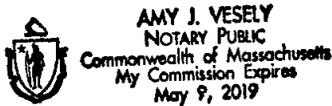
Grantor represents and warrants, under the pains and penalties of perjury, that the Premises conveyed hereby are not and have never been homestead property.

Witness my hand and seal this 24th day of June, 2016.

Monique Mooney
Monique Mooney, also known as
Monique Marie Maillet,
Trustee of Gatehouse Realty Trust

Middlesex COMMONWEALTH OF MASSACHUSETTS

On this 24th day of June, 2016, before me, the undersigned notary public, personally appeared Monique Mooney, (also known as Monique Marie Maillet), Trustee of Gatehouse Realty Trust, proved to me through satisfactory evidence of identification, which was Massachusetts Drivers License, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose as Trustee of and on behalf of Gatehouse Realty Trust.



[Signature]
Notary Public
My Commission Expires: 5/9/19



MASSACHUSETTS QUITCLAIM DEED

PLM POWDER MILL REALTY, LLC, (also known as PLM POWDERMILL REALTY, LLC) a Limited Liability Company duly organized by the laws of the Commonwealth of Massachusetts, with a principal place of business at 94 Powder Mill Road, Maynard, Middlesex County, Massachusetts ("Grantor"),

for consideration paid, and in full consideration of FIVE HUNDRED THOUSAND AND 00/100 (U.S. \$500,000.00) DOLLARS;

Grant to 117 Powdermill LLC, a Limited Liability Corporation duly organized by the laws of the Commonwealth of Massachusetts, with a principal place of business at 205 Willow Street, Waltham, Middlesex County, Massachusetts ("Grantee").

with *quitclaim covenants*

MASSACHUSETTS EXCISE TAX
Southern/Middlesex District ROD # 001
Date: 09/28/2016 12:26 PM
Ctrl# 25418719101 Doc# 00171490
Fee: \$2,280.00 Cons: \$500,000.00

That certain parcel of land, with the buildings thereon, situated on the northerly side of Powder Mill Road, partly in Acton and partly in Maynard, Middlesex County Massachusetts, shown on a plan entitled "Land in Acton and Maynard, owned by Charles H. Lord, Evelyn L. Priest, Eleanor N. Derby, Mary Elizabeth Davis", by Harlan E. Tuttle, Surveyor, dated March 6, 1959, recorded with the Middlesex South District Registry of Deeds as Plan No. 842 of 1959, in Book 9387, Page 445, to which plan reference is hereby made for a more particular description.

Containing, according to said plan, 30,490 square feet of land.

Said premises are conveyed together with the right of way, as shown on said plan, between the granted premises and Powder Mill Road, for all purposes for which streets and ways are commonly used, in common with others entitled thereto, including, but in no way limiting the foregoing, the right to use the electric power lines now or hereafter located in said right of way and the use of the water pipe line now or hereafter located in said right of way.

Also conveying all of the Grantor's right, title and interest in and to a certain parcel of land, abutting the above-described parcel, situated off the Northerly side of Powder Mill Road, being partly in Acton and partly in Maynard, both in the County of Middlesex, Commonwealth of Massachusetts, and being shown as Lot 3 on a plan entitled, "Land in Acton and Maynard, Mass., owned by Lund Products, Inc., Harlan E. Tuttle, Surveyor", dated October 30, 1963, recorded with the Middlesex South District Registry of Deeds as Plan No. 8 of 1967 in Book 11273, Page 479.

Containing, according to said plan, 12,574 square feet of land, more or less.

The Grantor is not classified for the current taxable year as a corporation for federal income tax purposes.

2 Powder Mill Road Rear, Acton and 117 Powder Mill Road, Acton and Maynard

This deed is given in furtherance of, and as part of the final liquidation, winding up of affairs and distribution of the assets of PLM Powder Mill Realty, LLC in accordance with the provisions of MGL. Ch. 156C, Sec. 45.

For Grantor's title, see Deed dated September 20, 2007 and recorded with the Middlesex South District Registry of Deeds at Book 50316, Page 115.

[signature page follows]

Remainder of page intentionally left blank.

Executed as a sealed instrument this 21 day of September, 2016.

PLM POWDER MILL REALTY, LLC

PLM POWDER MILL REALTY, LLC

Larry W Fryatt
BY: LARRY FRYATT, MANAGER
And individually

BY: MARK MARTELL, MANAGER
and individually

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this 21 day of September, 2016, before me, the undersigned notary public, personally appeared LARRY FRYATT, in his capacity as Manager of PLM Powder Mill Realty, LLC, (the "LLC"), and individually, proved to me through satisfactory evidence of identification, being: driver's license or other state or federal governmental document bearing a photographic image; oath or affirmation of a credible witness who knows the above signatory; or my own personal knowledge of the identity of the signatory, to be the person whose name is signed above, and acknowledged the foregoing to be signed by him voluntarily for its stated purpose, as aforesaid, as Manager of the LLC and individually.

Blaine J. DeFreitas

Blaine J. DeFreitas, Notary Public
My Commission Expires: 08/06/2021
Qualified in the Commonwealth of
Massachusetts

~~**COMMONWEALTH OF MASSACHUSETTS**~~

~~Middlesex, ss.~~

~~On this _____ day of September, 2016, before me, the undersigned notary public, personally appeared MARK MARTELL, in his capacity as Manager of PLM Powder Mill Realty, LLC, and individually, proved to me through satisfactory evidence of identification, being: driver's license or other state or federal governmental document bearing a photographic image; oath or affirmation of a credible witness who knows the above signatory; or my own personal knowledge of the identity of the signatory, to be the person whose name is signed above, and acknowledged the foregoing to be signed by him voluntarily for its stated purpose, as aforesaid, as Manager of the LLC and individually.~~

Executed as a sealed instrument this 15th day of September, 2016.

PLM POWDER MILL REALTY, LLC

PLM POWDER MILL REALTY, LLC

BY: LARRY FRYATT, MANAGER
And individually



BY: MARK MARTELL, MANAGER
and individually

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this ____ day of September, 2016, before me, the undersigned notary public, personally appeared LARRY FRYATT, in his capacity as Manager of PLM Powder Mill Realty, LLC, (the "LLC"), and individually, proved to me through satisfactory evidence of identification, being: driver's license or other state or federal governmental document bearing a photographic image; oath or affirmation of a credible witness who knows the above signatory; or my own personal knowledge of the identity of the signatory, to be the person whose name is signed above, and acknowledged the foregoing to be signed by him voluntarily for its stated purpose, as aforesaid, as Manager of the LLC and individually.

Blaine J. DeFreitas, Notary Public
My Commission Expires: 08/06/2021
Qualified in the Commonwealth of
Massachusetts

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this 15th day of September, 2016, before me, the undersigned notary public, personally appeared MARK MARTELL, in his capacity as Manager of PLM Powder Mill Realty, LLC, and individually, proved to me through satisfactory evidence of identification, being: driver's license or other state or federal governmental document bearing a photographic image; oath or affirmation of a credible witness who knows the above signatory; or my own personal knowledge of the identity of the signatory, to be the person whose name is signed above, and acknowledged the foregoing to be signed by him voluntarily for its stated purpose, as aforesaid, as Manager of the LLC and individually.





Notary Public: Linh Nguyen
My Commission Expires: 2/26/21
Qualified in the Commonwealth of
Massachusetts



~~MASSACHUSETTS EXCISE TAX
 Southern Middlesex District ROD # 001
 Date: 07/01/2016 02:21 PM
 Ctrl# 245633 04531 Doc# 00140288
 Fee: \$934.80 Cons: \$205,000.00~~

QUITCLAIM DEED

I, SUZANNE P. MOULTON, Trustee of the Ruth L. Moulton Irrevocable Trust, under Declaration of Trust dated May 12, 2015, recorded with the Middlesex South District Registry of Deeds in Book 65505, Page 77, Ashburnham, Massachusetts

for the full consideration of \$205,000.00 paid,

grant to 118 POWDERMILL LLC, a Massachusetts Limited Liability Company of 205 Willow Street, Waltham, MA

with QUITCLAIM COVENANTS

The land with the buildings thereon known and numbered 118 Powder Mill Road in Maynard and Acton, Southern Middlesex County, Massachusetts described in Exhibit A attached hereto and incorporated herein by reference.

The above described premises is not the homestead property or principal residence of the grantors and there are no other persons, or family members (as defined in M.G.L. Ch. 188) entitled to the protection of the Homestead Act.

Please return to: D'Agostine, Levine, Parra & Netburn, P.C.
 P.O. Box 2223, Acton, MA 01720

Acton & Maynard, MA
 118 Powder Mill Road,
 Property Location:

Executed as a sealed instrument this 29th day of June, 2016.



 SUZANNE P. MOULTON, Trustee of
 Ruth L. Moulton Irrevocable Trust

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss.

On this 29th day of June, 2016 before me, the undersigned notary public, personally appeared SUZANNE P. MOULTON, proved to me through satisfactory evidence of identification, which was a Massachusetts Drivers License to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose, as Trustee of the Ruth L. Moulton Irrevocable Trust.



 Keith P. Glenny, Notary Public
 My commission expires: 08-11-2017

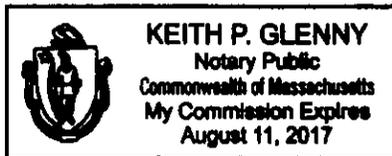


Exhibit A

A certain parcel of land, with the buildings thereon, situated on the northerly side of Powder Mill Road, in Maynard and in Acton, in Middlesex County, and being a portion of Lot 12 on a certain plan entitled "Land in Maynard and Acton, Mass., surveyed for the American Cyanamid & Chemical Corp. by Horace F. Tuttle, January 18, 1944", and recorded with Middlesex South District Deeds at the end of Book 6739, bounded and described as follows:

Southerly by Powder Mill Road, one hundred twenty and 15/100 (120.15) feet;

Westerly by Lot 11, as shown on said plan, one hundred and twenty (120) feet;

Northerly by land now or formerly of Fletcher, being the remaining portion of said Lot 12, one hundred twenty and 15/100 (120.15) feet; and

Easterly by Lot 13, as shown on said plan, being land now or formerly of Cary, one hundred and twenty (120) feet;

Said premises are conveyed subject to all easements and restrictions of record affecting said Lot, insofar as the same are now in force and applicable.

Meaning and intending to convey and hereby conveying the same premises conveyed by deed of Ruth L. Moulton to Suzanne P. Moulton, Trustee of the Ruth L. Moulton Irrevocable Trust, dated May 12, 2015, under declaration of trust as aforesaid, recorded with the Worcester County Registry of Deed in Book 65505, Page 83.

Description of the Findings of the Phase I ESA for both the 2-4 Powder Mill Road and 2 Powder Mill Road Properties

The Phase I ESA for the 2-4 Powder Mill Road and the 2 Powder Mill Road properties in Acton and Maynard identified Recognized Environmental Conditions and data gaps. The Phase I ESA executive summaries listed these and recommended courses of action. Below is a list of these findings and the status of each. If additional work needs to be done, that work is outlined with an approximate schedule for conducting work and incorporates any regulatory deadlines.

2-4 Powder Mill Road

- REC No. 1 - Chromium and Lead concentrations were identified in soils in the northern area of the site. The concentrations in some samples exceed those previously identified at the site. These concentrations exceed the 120 day reportable concentrations for residential soils (RCS-1).

The chromium and concentrations were assessed in the context of the previously identified chromium concentrations. The chromium was determined through lab tests that it was predominately the lower impact trivalent form of chromium. The lead in soil needs to be addressed under the MassDEP regulations. Prior to MassDEP 120 day reporting notification, the soil lead levels were reviewed in the context of the history of site development and construction age of the buildings present at the property. Many of the buildings were constructed during the period from 1952 through 1969. Lead based paints were likely used on the exteriors of these buildings prior to the banning of lead based paint products in the U.S. in 1977. The MassDEP lists reporting exemptions for certain materials when they are identified as residue from their original and intended application. Lead residuals in soils are exempt from 120-day notification (310 CMR 40.0317 (8)) when they are attributed to lead based paint applications. Based on this exemption, soil lead levels were not reported on the Release Notification Form which was submitted for PCB levels in soils as discussed in REC No. 2.

- REC No. 2 - The MassDEP published 120 day reportable concentrations for residential soils (RCS-1). PCBs were not a contaminant which was included in the H&A method 3 risk characterization.

The PCB concentration in soils exceeds the reportable condition in one soil boring between the existing building and the river. This concentration has been reported to the MassDEP and there is a one-year window prior to tier classification to close out this condition with the MassDEP. The averaging of PCB soil concentrations in this area results in an exposure point concentration which does not pose a significant risk. Alternatively, these soils may be excavated if site development activities require topographic or structural modifications in this area.

Data Gaps

The following condition represents data gaps since additional information should be collected to verify that a reportable condition does not exist associated with these features.

- Separate phase petroleum was identified at a thickness less than 0.01 feet in monitoring well GP513-MW. The MassDEP requires reporting thicknesses greater than 1/8th inch (0.01 feet). No other monitoring wells indicated the presence of separate phase petroleum.

REMSERV re-gauged the monitoring well GP513-MW and confirmed that the thickness of petroleum remained less than 1/8th inch in thickness.

Other Conditions

The following conditions do not constitute a REC since no reporting condition has been identified and are they presumed to have been addressed through localized sample collection and analyses in proximity to and downgradient of these structures. These features are expected to be addressed as part of the site management activities.

- The presence of demolition debris/trash in the soils in the front portion of Lot 44 closer to Powder Mill Road where the former residence was located;

During a 2017 REMSERV, Inc. site visit, it was noted that this area has been cleared and all debris/trash has been removed.

- The presence of a manhole with standing water and petroleum impacted sludge adjacent to the free standing garage near the southeast corner of the main structure. The manhole contains entry and exit piping the destination of which are unknown;

These manholes have been sampled and are being analyzed by Cyn Environmental in preparation for pumping out and removal of liquid/sediment.

- The unknown subsurface connection of vent pipes on the middle support column on the north side of the open air garage;

The vent pipes and the catch basin will be assessed and removed during the site development activities.

- The presence of two interior catch basins within the two story building addition which contain petroleum impacted grit and sludge;

These manholes have been sampled and are being analyzed by Cyn Environmental in preparation for pumping out and removal of liquid/sediment.

- Assessment of related piping.

The subsurface piping will be assessed and removed during the site development activities.

- The management of metals impacted sediments in the river bed should site dredging be undertaken as part of the river front improvement activities.

The sediments will only need to be addressed if disturbed during site development activities. Water front activities and improvements should be designed and undertaken to minimize excavation and or disruption of the existing environment to minimize the volume of this material which will require special handling. Preparation should be made in advance to file the appropriate documents with the MassDEP and preparations will include dewatering, storing and disposing of these excavated sediments/soils.

2 Powder Mill Road

- REC No. 1 - A historical REC has been identified associated with the former environmental assessment and response activities associated with the RTN 2-0493. The presence of waste oil in shallow soils in the vicinity of the loading dock has resulted in a release of hydrocarbons to soils. The former had not met the timeline submittal obligations under the Massachusetts Contingency Plan associated with RTN 2-0493 and

therefore the site defaulted to a Tier ID status. The new/current owner assumed 21E response actions from the former owner in a “white knight” role upon purchase of the property. The current owner filed a Phase I Initial Site Investigation and the release was classified as a Tier II site which is the lowest priority site within the Massachusetts 21E regulations. The site is currently within compliance with the MassDEP regulations. The current site conditions have not demonstrated that a Condition of No Significant Risk has not been achieved and as a result the site currently remains open with the MassDEP.

- REC No. 2 – There were numerous 55-gallon drums identified on the ground floor of the two-story structure. The contents of these drums were not confirmed but they are believed to be a mixture of waste motor and asphaltic emulsion based on the observed staining on the drum exteriors and the information provided by the current property operator. These drums represent a threat of a release and need to be removed from the property by a licensed waste hauler and recycled or disposed of at a licensed facility to accept the waste streams under a uniform hazardous waste manifest.

During a 2017 REMSERV site visit, it was noted that the pails and drums had been removed from this room.

- REC No. 3 – A leaking 5 gallon pail of motor oil stored on the second floor in the western building has soaked through the floor boards and accumulated on the concrete floor of the ground floor. This condition represents a potential threat of release and should be contained and removed by a licensed waste hauler and recycled or disposed of at a licensed facility to accept the waste streams under a uniform hazardous waste manifest.

This task needs to be completed.

Data Gaps

The following condition represents data gaps since additional information should be collected to verify that a reportable condition does not exist associated with these features.

- The interior of the building floor on the ground level was obscured from view based on the density of stored items. Therefore, the condition of the floor could not be observed including the potential presence of floor drains or drywells or any other penetrations which may result in a potential discharge of stored petroleum products to the subsurface.

Since the removal of these pails and drums, the floor in this area needs to be assessed for the presence of floor penetrations which may require assessment during site development work.

- The former drywell septic system on the west face of the building could not be assessed due to the overhead electric lines.

The drywells need to be assessed and removed during site development work.

Powder Mill Place

Aerial Images & Site Photographs



Powder Mill Place

Aerial Images & Site Photographs



Powder Mill Place

Aerial Images & Site Photographs



Powder Mill Place

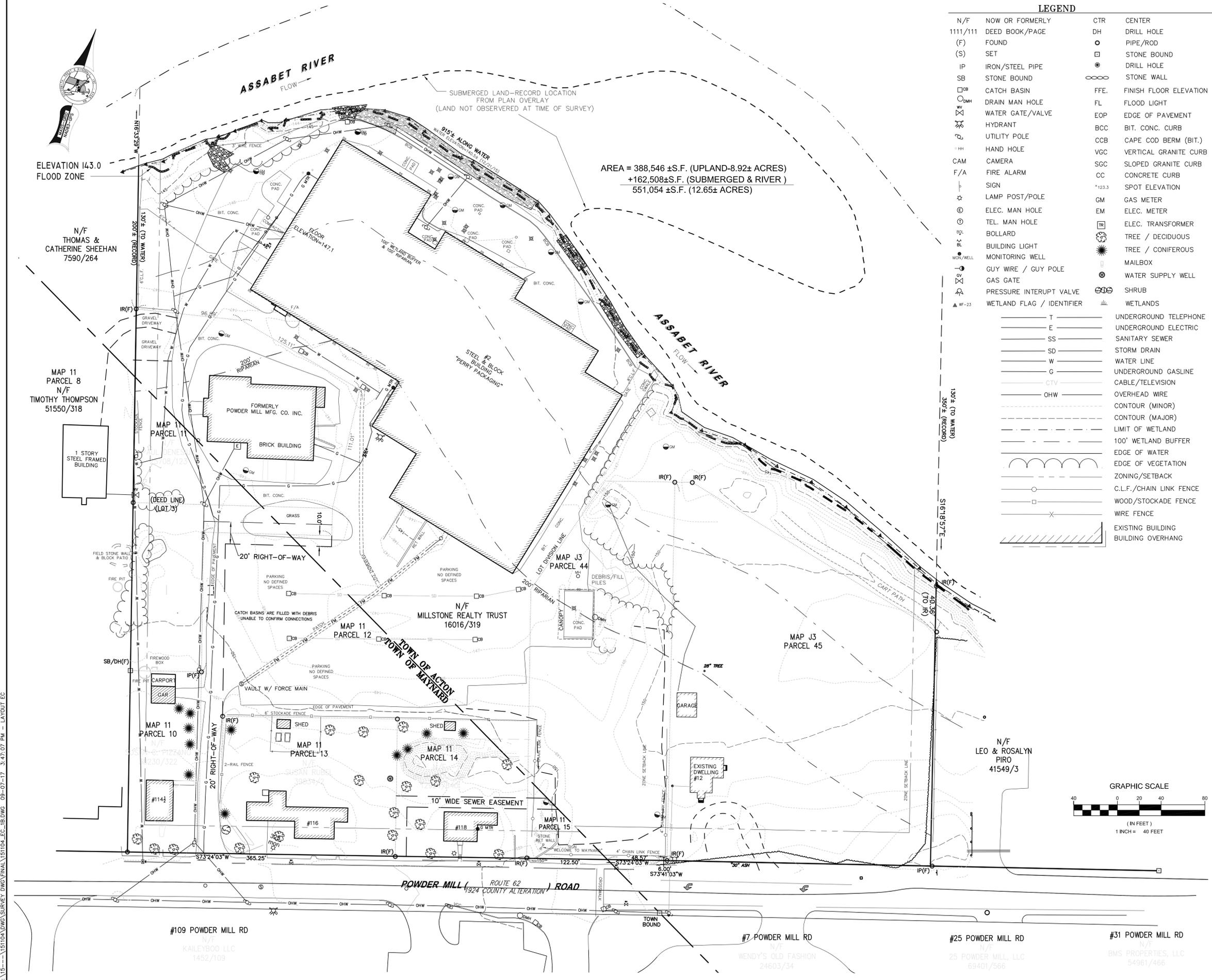
Aerial Images & Site Photographs



Powder Mill Place

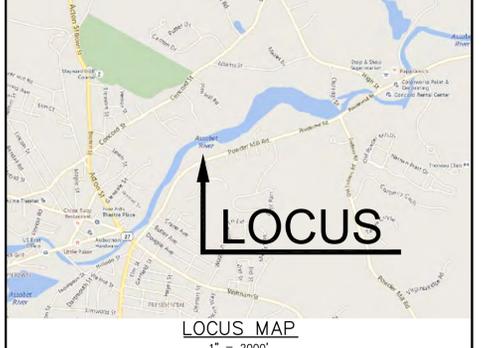
Aerial Images & Site Photographs





LEGEND

N/F	NOW OR FORMERLY	CTR	CENTER
1111/111	DEED BOOK/PAGE	DH	DRILL HOLE
(F)	FOUND	○	PIPE/ROD
(S)	SET	□	STONE BOUND
IP	IRON/STEEL PIPE	⊙	DRILL HOLE
SB	STONE BOUND	⊗	STONE WALL
CB	CATCH BASIN	FFE.	FINISH FLOOR ELEVATION
DMH	DRAIN MAN HOLE	FL	FLOOD LIGHT
WG/V	WATER GATE/VALVE	EOP	EDGE OF PAVEMENT
H	HYDRANT	BCC	BIT. CONC. CURB
UP	UTILITY POLE	CCB	CAPE COD BERM (BIT.)
HH	HAND HOLE	VGC	VERTICAL GRANITE CURB
CAM	CAMERA	SGC	SLOPED GRANITE CURB
F/A	FIRE ALARM	CC	CONCRETE CURB
SIGN	SIGN	*123.3	SPOT ELEVATION
LAMP POST/POLE	LAMP POST/POLE	GM	GAS METER
ELEC. MAN HOLE	ELEC. MAN HOLE	EM	ELEC. METER
TEL. MAN HOLE	TEL. MAN HOLE	TR	ELEC. TRANSFORMER
BOLLARD	BOLLARD	TR	TREE / DECIDUOUS
BUILDING LIGHT	BUILDING LIGHT	TR	TREE / CONIFEROUS
MONITORING WELL	MONITORING WELL	MB	MAILBOX
GUY WIRE / GUY POLE	GUY WIRE / GUY POLE	WSW	WATER SUPPLY WELL
GAS GATE	GAS GATE	SHRUB	SHRUB
PRESSURE INTERRUPT VALVE	PRESSURE INTERRUPT VALVE	WETLANDS	WETLANDS
WETLAND FLAG / IDENTIFIER	WETLAND FLAG / IDENTIFIER	T	UNDERGROUND TELEPHONE
		E	UNDERGROUND ELECTRIC
		SS	SANITARY SEWER
		SD	STORM DRAIN
		W	WATER LINE
		G	UNDERGROUND GASLINE
		CTV	CABLE/TELEVISION
		OHW	OVERHEAD WIRE
			CONTOUR (MINOR)
			CONTOUR (MAJOR)
			LIMIT OF WETLAND
			100' WETLAND BUFFER
			EDGE OF WATER
			EDGE OF VEGETATION
			ZONING/SETBACK
			C.L.F./CHAIN LINK FENCE
			WOOD/STOCKADE FENCE
			WIRE FENCE
			EXISTING BUILDING
			BUILDING OVERHANG



ELEVATION DATUM
DATUM: NAVD88

ABBREVIATIONS

EL	ELEVATION	HDPE	HIGH DENSITY POLYETHYLENE
INV	INVERT	PVC	POLYVINYL CHLORIDE
SF	SQUARE FEET	RCP	REINFORCED CONCRETE PIPE
AC	ACRES	N/F	NOW OR FORMERLY
FT	FEET	VP	VERNAL POOL
R	RADIUS	WF	WETLAND FLAG
DIA	DIAMETER	TW	TOP OF WALL
BIT	BITUMINOUS	BW	BOTTOM OF WALL
CONC	CONCRETE	FG	FINISH GRADE
L	LENGTH	BSMT	BASEMENT
S	SLOPE	FF	FINISH FLOOR

— T —	UNDERGROUND TELEPHONE
— E —	UNDERGROUND ELECTRIC
— SS —	SANITARY SEWER
— SD —	STORM DRAIN
— W —	WATER LINE
— G —	UNDERGROUND GASLINE
— CTV —	CABLE/TELEVISION
— OHW —	OVERHEAD WIRE
— — —	CONTOUR (MINOR)
— — —	CONTOUR (MAJOR)
— — —	LIMIT OF WETLAND
— — —	100' WETLAND BUFFER
— — —	EDGE OF WATER
— — —	EDGE OF VEGETATION
— — —	ZONING/SETBACK
— — —	C.L.F./CHAIN LINK FENCE
— — —	WOOD/STOCKADE FENCE
— — —	WIRE FENCE
— — —	EXISTING BUILDING
— — —	BUILDING OVERHANG

DRAWING ISSUED FOR:

■ CONCEPT □ CONSTRUCTION
□ PERMIT □ CONSTRUCTION RECORD

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NO.	DATE	BY	APP.	REVISION DESCRIPTION

GPR Engineering Solutions for Land & Structures

GOLDSMITH, PREST & RINGWALL, INC.
39 MAIN STREET, SUITE 301, AYER, MA 01432
CIVIL ENGINEERING • LAND SURVEYING • LAND PLANNING
VOICE: 978.772.1590 FAX: 978.772.1591
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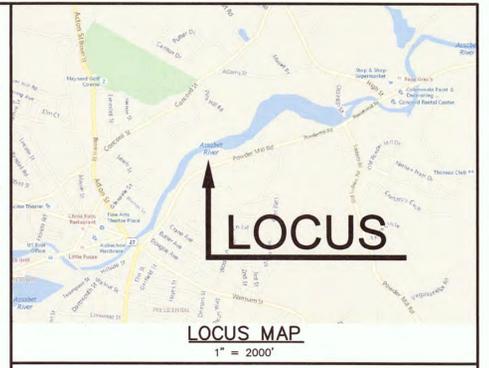
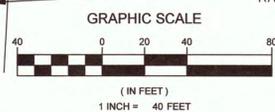
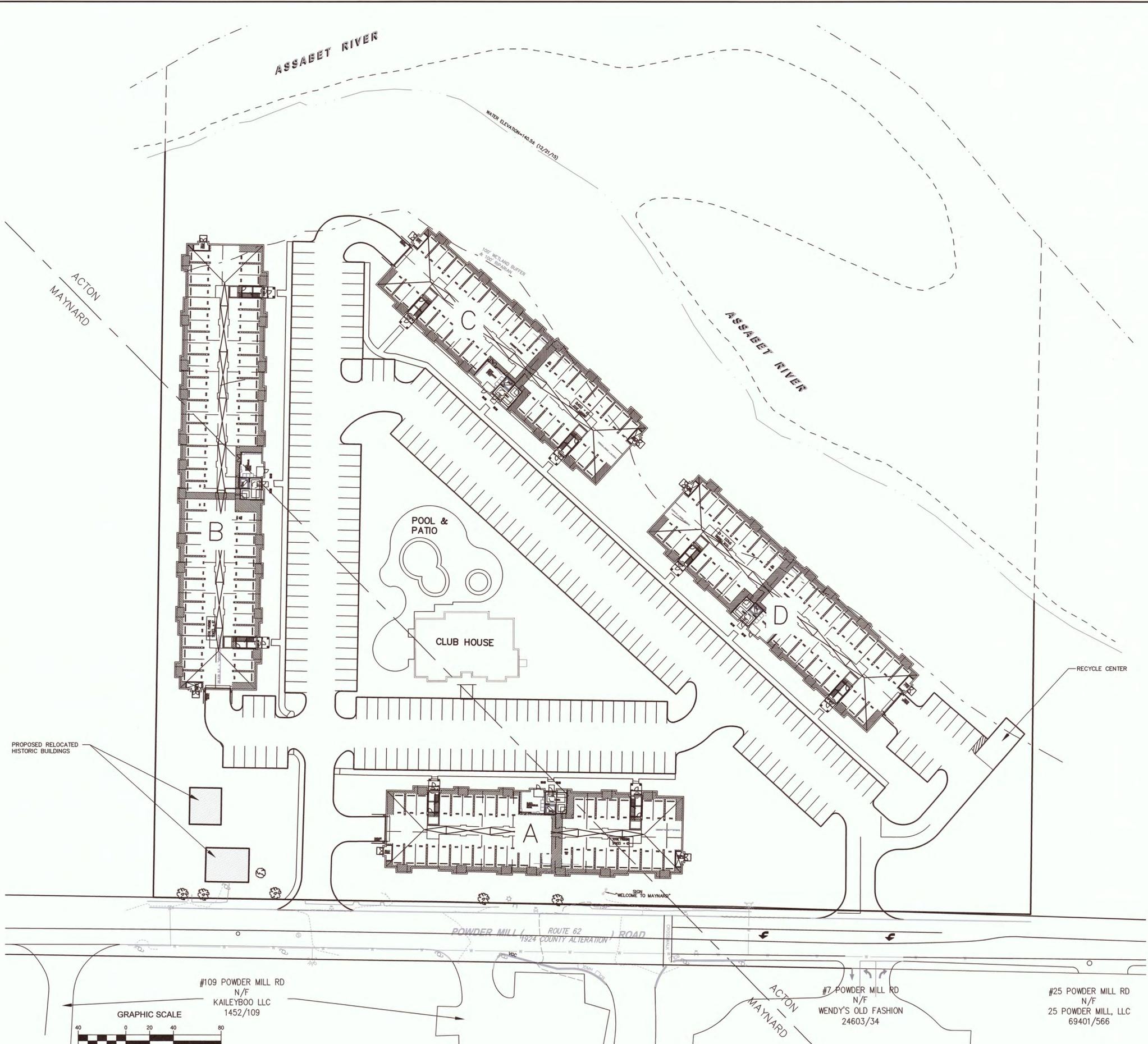
RESIDENTIAL DEVELOPMENT
EXISTING CONDITIONS

STREET ADDRESS
POWDERMILL PLACE
POWDERMILL ROAD
MAYNARD & ACTON, MA

OWNER:
APARTMENTS AT POWDERMILL, LLC
205 WILLOW ST.
WALTHAM, MASS 02453

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ASSESSORS REFERENCE:
ASSESSORS MAP J3, LOTS 39, 42, 43, 44, 45 (ACTON)
ASSESSORS MAP 011, LOTS 10, 11, 12, 13, 14, 15 (MAYNARD)

NOTES:
1. ROOF RUNOFF TO BE RECHARGED VIA STORMWATER CHAMBERS.
2. OTHER IMPERVIOUS AREAS TO BE TREATED USING STORMWATER LID BMP'S PRIOR TO RECHARGE AND/OR DISCHARGE TO ADJACENT WATER COURSES.

DRAWING ISSUED FOR:
 CONCEPT CONSTRUCTION
 PERMIT CONSTRUCTION RECORD

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NO.	DATE	BY	APP.	REVISION DESCRIPTION
2	10/31/2017	NMP	BDR	RELOCATED EASTERN SITE ACCESS
1	9/11/2017	MCL	BDR	UPDATED POWDERMILL ROAD

GPR Engineering Solutions for Land & Structures

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RESIDENTIAL DEVELOPMENT

PROPOSED CONCEPT PLAN

POWDER MILL PLACE
PODER MILL ROAD
MAYNARD & ACTON, MA

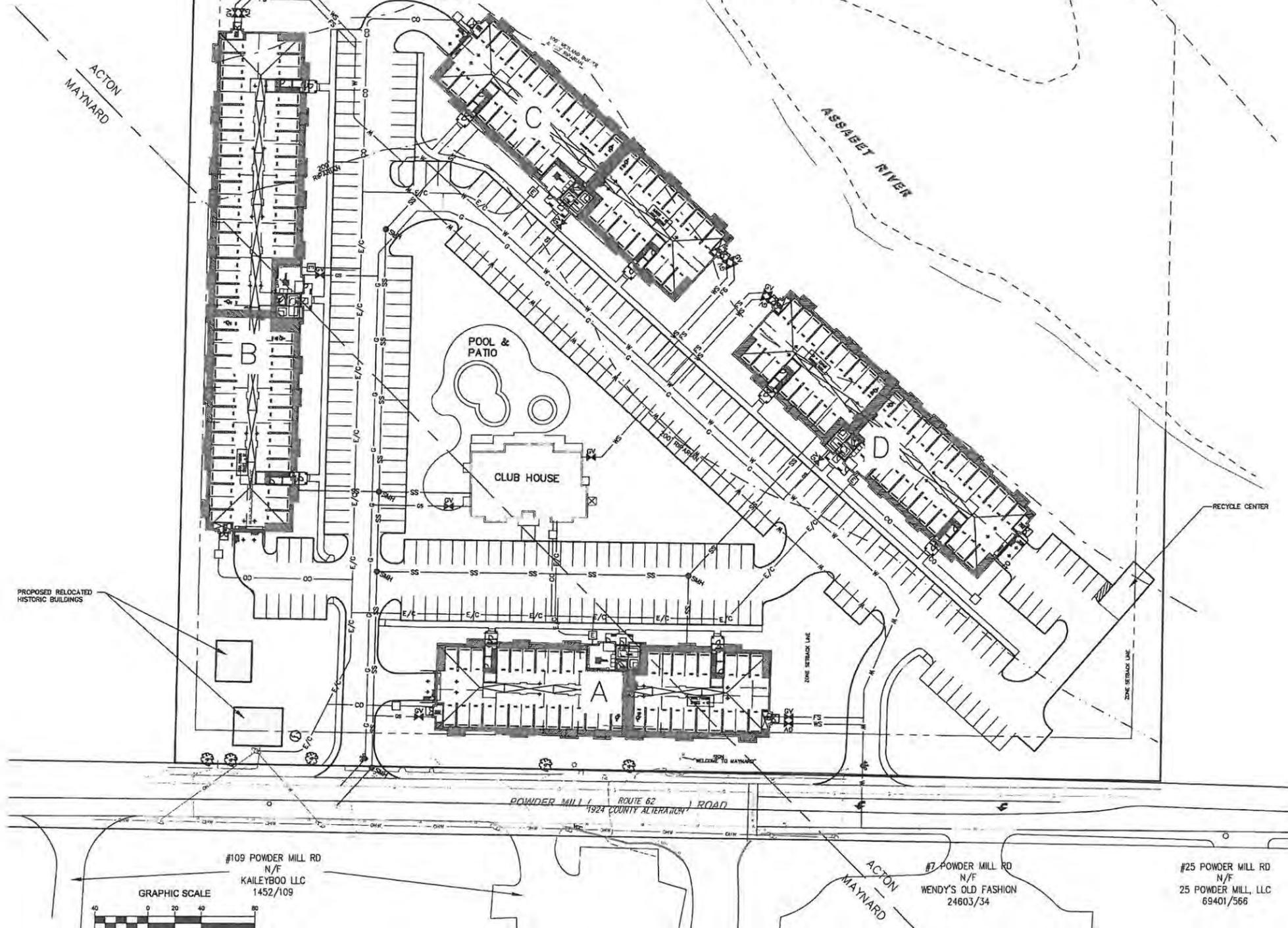
OWNER:
APARTMENTS AT POWDER MILL, LLC
205 WILLOW ST.
WALTHAM, MA 02453

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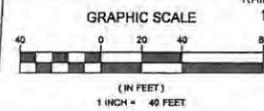


ASSABET RIVER



PROPOSED RELOCATED HISTORIC BUILDINGS

RECYCLE CENTER



#109 POWDER MILL RD
N/F
KAILEYBOO LLC
1452/109

#7 POWDER MILL RD
N/F
WENDY'S OLD FASHION
24603/34

#25 POWDER MILL RD
N/F
25 POWDER MILL, LLC
69401/566

POWDER MILL (ROUTE 62) ROAD
1924 COUNTY ALTERATION



ASSESSORS REFERENCE:
ASSESSORS MAP J3, LOTS 39, 42, 43, 44, 45 (ACTON)
ASSESSORS MAP 011, LOTS 10, 11, 12, 13, 14, 15 (MAYNARD)

NOTES:
1. ROOF RUNOFF TO BE RECHARGED VIA STORMWATER CHAMBERS.
2. OTHER IMPERVIOUS AREAS TO BE TREATED USING STORMWATER LID BMP'S PRIOR TO RECHARGE AND/OR DISCHARGE TO ADJACENT WATER COURSES.

DRAWING ISSUED FOR:

- CONCEPT CONSTRUCTION
- PERMIT CONSTRUCTION RECORD

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NO.	DATE	BY	APP.	REVISION DESCRIPTION
1	9/11/2017	MCL	BDR	UPDATED POWDERMILL ROAD

GPR Engineering Solutions for Land & Structures

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RESIDENTIAL DEVELOPMENT

PROPOSED CONCEPT UTILITIES PLAN

POWDER MILL PLACE
PODER MILL ROAD
MAYNARD & ACTON, MA

OWNER:
APARTMENTS AT POWDER MILL, LLC
205 WILLOW ST.
WALTHAM, MA 02453

DES. BY: MCH	DATE: APRIL 2017	JOB 151104	3 OF 3
CHK. BY: BDR			

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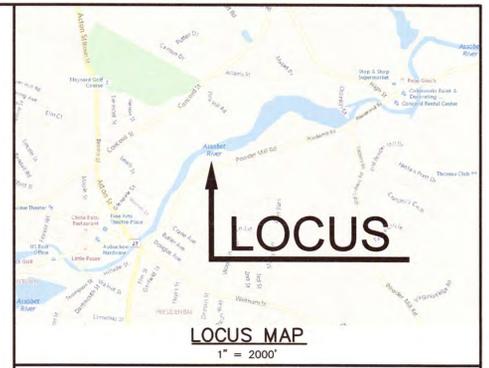


ACTON
MAYNARD



POWDER MILL PLACE:
 PARKING - GARAGE (SP): 193 SPACES
 PARKING - SURFACE (SP): 267 SPACES
 TOTAL PARKING (SP): 460 SPACES

WATERFRONT AMENITIES
 WATERFRONT RECREATION
 + KAYAK, CANOE & PADDLE BOARD RACKS
 WALKING PATHS AND PICNIC AREAS
 DOG PARK



ASSESSORS REFERENCE:
 ASSESSORS MAP J3, LOTS 39, 42, 43, 44, 45 (ACTON)
 ASSESSORS MAP 011, LOTS 10, 11, 12, 13, 14, 15 (MAYNARD)

DRAWING ISSUED FOR:

- CONCEPT CONSTRUCTION
- PERMIT CONSTRUCTION RECORD

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NO.	DATE	BY	APP.	REVISION DESCRIPTION

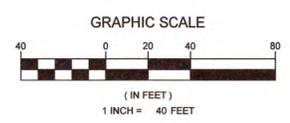
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RESIDENTIAL DEVELOPMENT
 PROPOSED CONCEPT PLAN

POWDER MILL PLACE
 PODER MILL ROAD
 MAYNARD & ACTON, MA

OWNER:
 APARTMENTS AT POWDER MILL, LLC
 205 WILLOW ST.
 WALTHAM, MA 02453

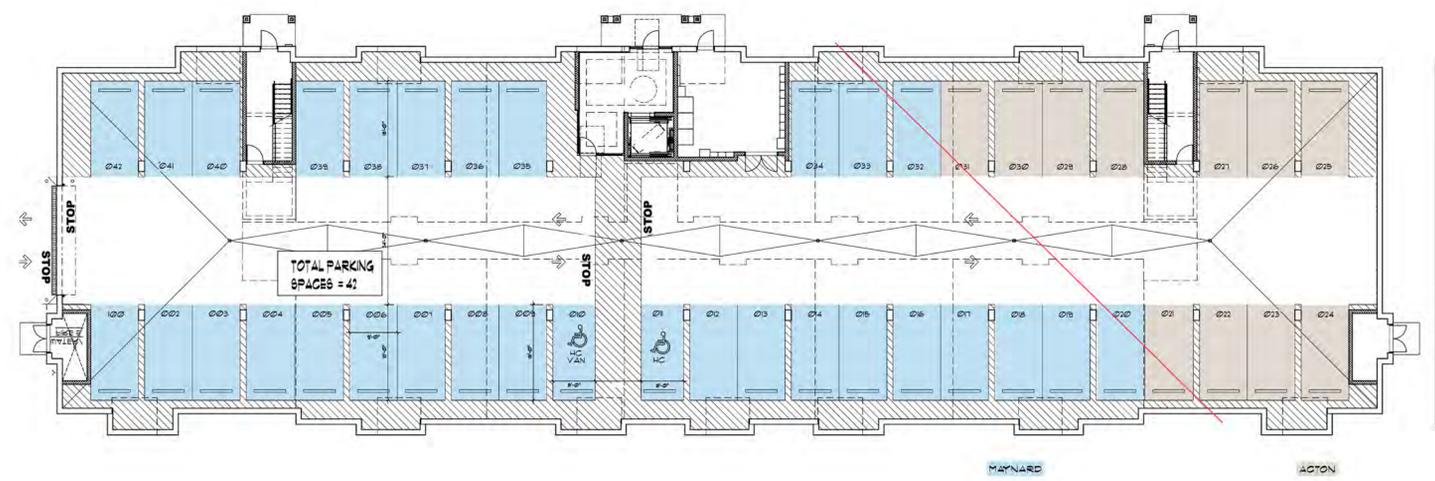


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RESIDENTIAL LEVELS



GARAGE LEVEL

BUILDING "A"

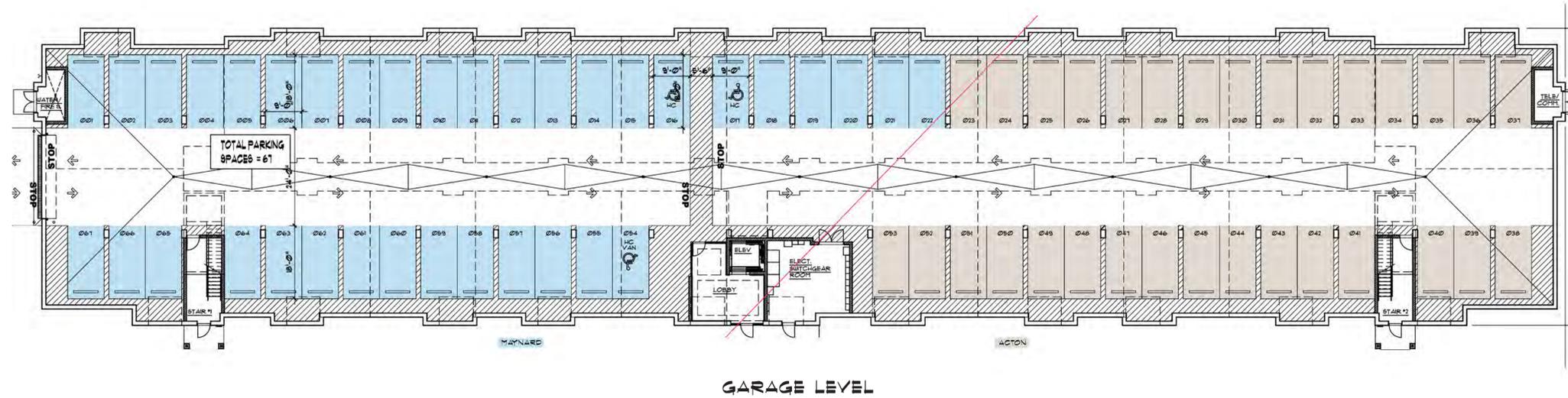
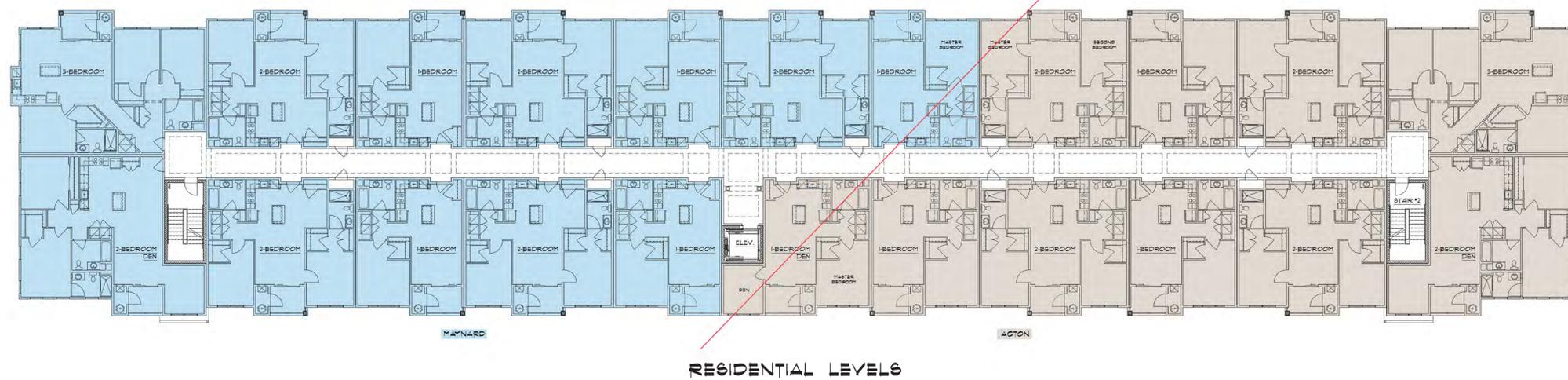
POWDER MILL PLACE

THE TOWNS OF MAYNARD AND ACTON, MA

PRO TECH

1/8" = 1'-0"
 JULY 17, 2017
 © 2017 - GATE 77 ARCHITECTURE, LLC

GATE
 architecture
 35 Grove Street
 Haddonfield, New Jersey, 08033
 856.429.2001



BUILDING "B"

POWDER MILL PLACE

THE TOWNS OF MAYNARD AND ACTON, MA

PRO TECH

1/8" = 1'-0"
 JULY 17, 2017
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GATE
 architecture

35 Grove Street
 Haddonfield, New Jersey, 08033
 856.429.2001

POWDER MILL PLACE

Acton and Maynard, MA

9/17/17

PROJECT INFORMATION

Code Requirements:	MA State Building Code (780 CMR) 8th Edition (2009 IBC) MA Stretch Code MA 521 CMR Architectural Access Board						
Building Use Group:	R-2	Residential Buildings					
	S-2	Garage Under Building					
	A-3 / B	Clubhouse					
Bldg. Construction Type:	5 A & 3 A	Residential Buildings					
	5 B	Garage Under Building					
	5 B	Clubhouse					
Building Height: (To Peak)	See Drawings	Residential Buildings					
		Garage Under Building					
		Clubhouse					
Total # of Bldgs.	4	Residential Buildings					
	4	Garage Under	184	Spaces	9	HC Spaces	193
	1	Clubhouse					Total Spaces
Gross Building Area:	389,278	Residential Buildings (includes garage)					
	4,000	Clubhouse					
	936	Mail Kiosk					
	<u>394,214</u>	Total					
Gross Ground Floor Area	83,688						
Total # of Units:	254						
Adaptable Units (Type B)	241	All floors of corridor buildings					
Handicap Units (Type A)	13	5%					
Total # of Bedrooms	433						
Parking Required	468	ULI Standard (1.5 sp per 1 bed, 2 sp per 2 & 3 bed) + 10 for clubhouse					

POWDER MILL PLACE
 Acton and Maynard, MA
 9/17/17

BUILDING DATA - 3 STORY PODIUM

BDG A - 38 DU 1 Building(s)

Units by Floor	Description	Unit GSF (1) (sq ft)	Balcony Area (sq ft)	Total Unit Area (sq ft)	Garage	1st Floor	2nd Floor	3rd Floor	Total	Distribution	
Unit A	1 Bed / 1 Bath	767	61	828		4	4	4	12	31.6%	
Unit B	1 Bed - Den / 1 Bath	891	59	950		1	1	1	3	7.9%	
Unit C	2 Bed / 2 Bath	1,062	59	1,121		5	5	5	15	39.5%	
Unit D	2 Bed / Den / 2 Bath	1,321	61	1,382		2	2		4	10.5%	
Unit E	3 Bed / 2 Bath	1,327	63	1,390		2	2		4	10.5%	
				-					-		
				-					-		
				-					-		
				-					-		
				-					-		
Totals					-	14	14	10	-	38	100.0%

Unit Area Totals by Building	Unit GSF (1) (sq ft)	Balcony Area (sq ft)	Total Unit Area (sq ft)
Unit A	9,204	732	9,936
Unit B	2,673	177	2,850
Unit C	15,930	885	16,815
Unit D	5,284	244	5,528
Unit E	5,308	252	5,560
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
Totals	38,399	2,290	40,689

Note 1: Per ANSI/BOMA Z65.4-2010
 Note 2: Unit GSF + Balcony + Common area
 Note 3: Total Unit Area / Total Floor Area

Building Totals	Unit GSF (1) (sq ft)	Balcony Area (sq ft)	Total Unit Area (sq ft)	Common Area (sq ft)	Total Floor Area (2)	Rentable to Gross (3)
Garage	-	-	-	17,499	17,499	0.0%
1st Floor	14,565	846	15,411	2,088	17,499	88.1%
2nd Floor	14,565	846	15,411	2,088	17,499	88.1%
3rd Floor	9,269	598	9,867	2,134	12,001	82.2%
	-	-	-	-	-	
	-	-	-	-	-	
Totals	38,399	2,290	40,689	23,809	64,498	63.1%

POWDER MILL PLACE
 Acton and Maynard, MA
 9/17/17

BUILDING DATA - 4 STORY PODIUM

BDG B - 84 DU 1 Building(s)

Units by Floor	Description	Unit GSF (1) (sq ft)	Balcony Area (sq ft)	Total Unit Area (sq ft)	Garage	1st Floor	2nd Floor	3rd Floor	4th Floor	Total	Distribution		
Unit A	1 Bed / 1 Bath	767	61	828		8	8	8	8	32	38.1%		
Unit B	1 Bed - Den / 1 Bath	891	59	950		1	1	1	1	4	4.8%		
Unit C	2 Bed / 2 Bath	1,062	59	1,121		9	9	9	9	36	42.9%		
Unit D	2 Bed / Den / 2 Bath	1,321	61	1,382		2	2	2		6	7.1%		
Unit E	3 Bed / 2 Bath	1,327	63	1,390		2	2	2		6	7.1%		
-	-	-	-	-		-	-	-	-	-	-		
-	-	-	-	-		-	-	-	-	-	-		
-	-	-	-	-		-	-	-	-	-	-		
-	-	-	-	-		-	-	-	-	-	-		
-	-	-	-	-		-	-	-	-	-	-		
Totals						-	22	22	22	18	-	84	100.0%

Unit Area Totals by Building	Unit GSF (1) (sq ft)	Balcony Area (sq ft)	Total Unit Area (sq ft)
Unit A	24,544	1,952	26,496
Unit B	3,564	236	3,800
Unit C	38,232	2,124	40,356
Unit D	7,926	366	8,292
Unit E	7,962	378	8,340
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
Totals			
	82,228	5,056	87,284

Note 1: Per ANSI/BOMA Z65.4-2010
 Note 2: Unit GSF + Balcony + Common area
 Note 3: Total Unit Area / Total Floor Area

Building Totals	Unit GSF (1) (sq ft)	Balcony Area (sq ft)	Total Unit Area (sq ft)	Common Area (sq ft)	Total Floor Area (2)	Rentable to Gross (3)
Garage	-	-	-	26,255	26,255	0.0%
1st Floor	21,881	1,326	23,207	3,048	26,255	88.4%
2nd Floor	21,881	1,326	23,207	3,048	26,255	88.4%
3rd Floor	21,881	1,326	23,207	3,048	26,255	88.4%
4th Floor	16,585	1,078	17,663	3,105	20,768	85.0%
-	-	-	-	-	-	-
Totals						
	82,228	5,056	87,284	38,504	125,788	69.4%

POWDER MILL PLACE
 Acton and Maynard, MA
 9/17/17

BUILDING DATA - 5 STORY PODIUM													
BDG C & D - 66 DU 2 Building(s)													
Units by Floor	Description	Unit GSF (1) (sq ft)	Balcony Area (sq ft)	Total Unit Area (sq ft)	Garage	1st Floor	2nd Floor	3rd Floor	4th Floor	5th Floor	Total	Distribution	
Unit A	1 Bed / 1 Bath	767	61	828		4	4	4	4	4	20	30.3%	
Unit B	1 Bed - Den / 1 Bath	891	59	950		1	1	1	1	1	5	7.6%	
Unit C	2 Bed / 2 Bath	1,062	59	1,121		5	5	5	5	5	25	37.9%	
Unit D	2 Bed / Den / 2 Bath	1,321	61	1,382		2	2	2	2		8	12.1%	
Unit E	3 Bed / 2 Bath	1,327	63	1,390		2	2	2	2		8	12.1%	
-	-	-	-	-							-		
-	-	-	-	-							-		
-	-	-	-	-							-		
-	-	-	-	-							-		
-	-	-	-	-							-		
Totals						-	14	14	14	14	10	66	100.0%

Unit Area Totals by Building	Unit GSF (1) (sq ft)	Balcony Area (sq ft)	Total Unit Area (sq ft)
Unit A	15,340	1,220	16,560
Unit B	4,455	295	4,750
Unit C	26,550	1,475	28,025
Unit D	10,568	488	11,056
Unit E	10,616	504	11,120
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
Totals			
	67,529	3,982	71,511

Note 1: Per ANSI/BOMA Z65.4-2010
 Note 2: Unit GSF + Balcony + Common area
 Note 3: Total Unit Area / Total Floor Area

Building Totals	Unit GSF (1) (sq ft)	Balcony Area (sq ft)	Total Unit Area (sq ft)	Common Area (sq ft)	Total Floor Area (2)	Rentable to Gross (3)
Garage	-	-	-	17,499	17,499	0.0%
1st Floor	14,565	846	15,411	2,088	17,499	88.1%
2nd Floor	14,565	846	15,411	2,088	17,499	88.1%
3rd Floor	14,565	846	15,411	2,088	17,499	88.1%
4th Floor	14,565	846	15,411	2,088	17,499	88.1%
5th Floor	9,269	598	9,867	2,134	12,001	82.2%
Totals						
	67,529	3,982	71,511	27,985	99,496	71.9%

POWDER MILL PLACE

Acton and Maynard, MA

9/17/17

PROJECT DATA

Units by Project	Description	Unit GSF (1) (sq ft)	BLDG			TOTAL	Percent of Total	
			A 38 DU	B 84 DU	C-D 66 DU		Total	Bedrooms
Unit A	1 Bed / 1 Bath	828	12	32	40	84	33.1%	84
Unit B	1 Bed - Den / 1 Bath	950	3	4	10	17	6.7%	17
Unit C	2 Bed / 2 Bath	1,121	15	36	50	101	39.8%	202
Unit D	2 Bed / Den / 2 Bath	1,382	4	6	16	26	10.2%	52
Unit E	3 Bed / 2 Bath	1,390	4	6	16	26	10.2%	78
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
Totals			38	84	132	-	-	-
						254	100.0%	433

Unit Area Totals by Project	Unit GSF (1) (sq ft)	Distribution
Unit A	69,552	25.7%
Unit B	16,150	6.0%
Unit C	113,221	41.8%
Unit D	35,932	13.3%
Unit E	36,140	13.3%
-	-	-
-	-	-
-	-	-
-	-	-
-	-	-
Totals		270,995
		100.0%

Note 1: Per ANSI/BOMA Z65.4-2010
 Note 2: Unit GSF + Balcony + Common area
 Note 3: Total Unit Area / Total Floor Area

Building Totals by Project	Unit GSF (1) (sq ft)	Common Area (sq ft)	Total Floor Area (2)	Rentable to Gross (2)	Total Parking Req'd.
Residential Buildings	270,995	118,283	389,278	69.6%	458
Clubhouse			4,000		10
Mail Kiosk			936		-
Totals			394,214		468

POWDER MILL PLACE

Acton, MA

9/18/17

PROJECT INFORMATION

Code Requirements:	MA State Building Code (780 CMR) 8th Edition (2009 IBC) MA Stretch Code MA 521 CMR Architectural Access Board						
Building Use Group:	R-2	Residential Buildings					
	S-2	Garage Under Building					
	A-3 / B	Clubhouse					
Bldg. Construction Type:	5 A & 3 A	Residential Buildings					
	5 B	Garage Under Building					
	5 B	Clubhouse					
Building Height: (To Peak)	See Drawings	Residential Buildings					
		Garage Under Building					
		Clubhouse					
Total # of Bldgs.	4	Residential Buildings					
	4	Garage Under	122	Spaces	4	HC Spaces	126
	1	Clubhouse					Total Spaces
Gross Building Area:	269,754	Residential Buildings (includes garage)					
	4,000	Clubhouse					
	936	Mail Kiosk					
	<hr/>	Total					
	274,690						
Gross Ground Floor Area	56,078						
Total # of Units:	180						
Adaptable Units (Type B)	171	All floors of corridor buildings					
Handicap Units (Type A)	9	5%					
Total # of Bedrooms	312						
Parking Required	336	ULI Standard (1.5 sp per 1 bed, 2 sp per 2 & 3 bed) + 10 for clubhouse					

POWDER MILL PLACE

Acton, MA

9/18/17

BUILDING DATA - 3 STORY PODIUM

BDG A - 10 DU 1 Building(s)

Units by Floor	Description	Unit GSF (1) (sq ft)	Balcony Area (sq ft)	Total Unit Area (sq ft)	Garage	1st Floor	2nd Floor	3rd Floor	Total	Distribution
Unit A	1 Bed / 1 Bath	767	61	828		1	1	1	3	30.0%
Unit B	1 Bed - Den / 1 Bath	891	59	950					-	
Unit C	2 Bed / 2 Bath	1,062	59	1,121		1	1	1	3	30.0%
Unit D	2 Bed / Den / 2 Bath	1,321	61	1,382		1	1		2	20.0%
Unit E	3 Bed / 2 Bath	1,327	63	1,390		1	1		2	20.0%
		-	-	-					-	
		-	-	-					-	
		-	-	-					-	
		-	-	-					-	
		-	-	-					-	
Totals					-	4	4	2	-	100.0%

Unit Area Totals by Building	Unit GSF (1) (sq ft)	Balcony Area (sq ft)	Total Unit Area (sq ft)
Unit A	2,301	183	2,484
Unit B	-	-	-
Unit C	3,186	177	3,363
Unit D	2,642	122	2,764
Unit E	2,654	126	2,780
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
Totals	10,783	608	11,391

Note 1: Per ANSI/BOMA Z65.4-2010
 Note 2: Unit GSF + Balcony + Common area
 Note 3: Total Unit Area / Total Floor Area

Building Totals	Unit GSF (1) (sq ft)	Balcony Area (sq ft)	Total Unit Area (sq ft)	Common Area (sq ft)	Total Floor Area (2)	Rentable to Gross (3)
Garage	-	-	-	4,517	4,517	0.0%
1st Floor	4,477	244	4,721	(204)	4,517	104.5%
2nd Floor	4,477	244	4,721	(204)	4,517	104.5%
3rd Floor	1,829	120	1,949	(158)	1,791	108.8%
	-	-	-	-	-	
	-	-	-	-	-	
Totals	10,783	608	11,391	3,951	15,342	74.2%

POWDER MILL PLACE

Acton, MA

9/18/17

BUILDING DATA - 4 STORY PODIUM

BDG B - 38 DU 1 Building(s)

Units by Floor	Description	Unit GSF (1) (sq ft)	Balcony Area (sq ft)	Total Unit Area (sq ft)	Garage	1st Floor	2nd Floor	3rd Floor	4th Floor	Total	Distribution		
Unit A	1 Bed / 1 Bath	767	61	828		3	3	3	3	12	31.6%		
Unit B	1 Bed - Den / 1 Bath	891	59	950		1	1	1	1	4	10.5%		
Unit C	2 Bed / 2 Bath	1,062	59	1,121		4	4	4	4	16	42.1%		
Unit D	2 Bed / Den / 2 Bath	1,321	61	1,382		1	1	1		3	7.9%		
Unit E	3 Bed / 2 Bath	1,327	63	1,390		1	1	1		3	7.9%		
-	-	-	-	-						-			
-	-	-	-	-						-			
-	-	-	-	-						-			
-	-	-	-	-						-			
-	-	-	-	-						-			
Totals						-	10	10	10	8	-	38	100.0%

Unit Area Totals by Building	Unit GSF (1) (sq ft)	Balcony Area (sq ft)	Total Unit Area (sq ft)
Unit A	9,204	732	9,936
Unit B	3,564	236	3,800
Unit C	16,992	944	17,936
Unit D	3,963	183	4,146
Unit E	3,981	189	4,170
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
Totals			
	37,704	2,284	39,988

Note 1: Per ANSI/BOMA Z65.4-2010
 Note 2: Unit GSF + Balcony + Common area
 Note 3: Total Unit Area / Total Floor Area

Building Totals	Unit GSF (1) (sq ft)	Balcony Area (sq ft)	Total Unit Area (sq ft)	Common Area (sq ft)	Total Floor Area (2)	Rentable to Gross (3)
Garage	-	-	-	11,627	11,627	0.0%
1st Floor	10,088	602	10,690	937	11,627	91.9%
2nd Floor	10,088	602	10,690	937	11,627	91.9%
3rd Floor	10,088	602	10,690	937	11,627	91.9%
4th Floor	7,440	478	7,918	994	8,912	88.8%
-	-	-	-	-	-	
Totals						
	37,704	2,284	39,988	15,432	55,420	72.2%

POWDER MILL PLACE

Acton, MA

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BUILDING DATA - 5 STORY PODIUM

BDG C & D - 66 DU 2 Building(s)

Units by Floor	Description	Unit GSF (1) (sq ft)	Balcony Area (sq ft)	Total Unit Area (sq ft)	Garage	1st Floor	2nd Floor	3rd Floor	4th Floor	5th Floor	Total	Distribution	
Unit A	1 Bed / 1 Bath	767	61	828		4	4	4	4	4	20	30.3%	
Unit B	1 Bed - Den / 1 Bath	891	59	950		1	1	1	1	1	5	7.6%	
Unit C	2 Bed / 2 Bath	1,062	59	1,121		5	5	5	5	5	25	37.9%	
Unit D	2 Bed / Den / 2 Bath	1,321	61	1,382		2	2	2	2		8	12.1%	
Unit E	3 Bed / 2 Bath	1,327	63	1,390		2	2	2	2		8	12.1%	
-	-	-	-	-							-		
-	-	-	-	-							-		
-	-	-	-	-							-		
-	-	-	-	-							-		
-	-	-	-	-							-		
Totals						-	14	14	14	14	10	66	100.0%

Unit Area Totals by Building	Unit GSF (1) (sq ft)	Balcony Area (sq ft)	Total Unit Area (sq ft)
Unit A	15,340	1,220	16,560
Unit B	4,455	295	4,750
Unit C	26,550	1,475	28,025
Unit D	10,568	488	11,056
Unit E	10,616	504	11,120
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
Totals			
	67,529	3,982	71,511

Note 1: Per ANSI/BOMA Z65.4-2010
 Note 2: Unit GSF + Balcony + Common area
 Note 3: Total Unit Area / Total Floor Area

Building Totals	Unit GSF (1) (sq ft)	Balcony Area (sq ft)	Total Unit Area (sq ft)	Common Area (sq ft)	Total Floor Area (2)	Rentable to Gross (3)
Garage	-	-	-	17,499	17,499	0.0%
1st Floor	14,565	846	15,411	2,088	17,499	88.1%
2nd Floor	14,565	846	15,411	2,088	17,499	88.1%
3rd Floor	14,565	846	15,411	2,088	17,499	88.1%
4th Floor	14,565	846	15,411	2,088	17,499	88.1%
5th Floor	9,269	598	9,867	2,134	12,001	82.2%
Totals						
	67,529	3,982	71,511	27,985	99,496	71.9%

POWDER MILL PLACE

Acton, MA

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PROJECT DATA

Units by Project	Description	Unit GSF (1) (sq ft)	BLDG			TOTAL	Percent of Total	
			A 38 DU	B 84 DU	C-D 66 DU		Total	Bedrooms
Unit A	1 Bed / 1 Bath	828	3	12	40	55	30.6%	55
Unit B	1 Bed - Den / 1 Bath	950	-	4	10	14	7.8%	14
Unit C	2 Bed / 2 Bath	1,121	3	16	50	69	38.3%	138
Unit D	2 Bed / Den / 2 Bath	1,382	2	3	16	21	11.7%	42
Unit E	3 Bed / 2 Bath	1,390	2	3	16	21	11.7%	63
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-
Totals			10	38	132	-	-	-
						180	100.0%	312

Unit Area Totals by Project	Unit GSF (1) (sq ft)	Distribution
Unit A	45,540	23.4%
Unit B	13,300	6.8%
Unit C	77,349	39.8%
Unit D	29,022	14.9%
Unit E	29,190	15.0%
-	-	-
-	-	-
-	-	-
-	-	-
-	-	-
Totals	194,401	100.0%

Note 1: Per ANSI/BOMA Z65.4-2010
 Note 2: Unit GSF + Balcony + Common area
 Note 3: Total Unit Area / Total Floor Area

Building Totals by Project	Unit GSF (1) (sq ft)	Common Area (sq ft)	Total Floor Area (2)	Rentable to Gross (2)	Total Parking Req'd.
Residential Buildings	194,401	75,353	269,754	72.1%	326
Clubhouse			4,000		10
Mail Kiosk			936		-
Totals			274,690		336

POWDER MILL PLACE

Maynard, MA

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PROJECT INFORMATION

Code Requirements:	MA State Building Code (780 CMR) 8th Edition (2009 IBC) MA Stretch Code MA 521 CMR Architectural Access Board						
Building Use Group:	R-2 S-2	Residential Buildings Garage Under Building					
Bldg. Construction Type:	5 A & 3 A 5 B	Residential Buildings Garage Under Building -					
Building Height: (To Peak)	See Drawings	Residential Buildings Garage Under Building -					
Total # of Bldgs.	2 2	Residential Buildings Garage Under	62 Spaces	5	HC Spaces	67	Total Spaces
		-					
Gross Building Area:	119,524	Residential Buildings (includes garage) -					
	<hr/> 119,524	Total					
Gross Ground Floor Area	27,610						
Total # of Units:	74						
<i>Adaptable Units (Type B)</i>	70	All floors of corridor buildings					
<i>Handicap Units (Type A)</i>	4	5%					
Total # of Bedrooms	121						
Parking Required	132	ULI Standard (1.5 sp per 1 bed, 2 sp per 2 & 3 bed) + 10 for clubhouse					

POWDER MILL PLACE

Maynard, MA

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BUILDING DATA - 3 STORY PODIUM

BDG A - 28 DU 1 Building(s)

Units by Floor	Description	Unit GSF (1) (sq ft)	Balcony Area (sq ft)	Total Unit Area (sq ft)	Garage	1st Floor	2nd Floor	3rd Floor	Total	Distribution
Unit A	1 Bed / 1 Bath	767	61	828		3	3	3	9	32.1%
Unit B	1 Bed - Den / 1 Bath	891	59	950		1	1	1	3	10.7%
Unit C	2 Bed / 2 Bath	1,062	59	1,121		4	4	4	12	42.9%
Unit D	2 Bed / Den / 2 Bath	1,321	61	1,382		1	1		2	7.1%
Unit E	3 Bed / 2 Bath	1,327	63	1,390		1	1		2	7.1%
		-	-	-		-	-	-	-	-
		-	-	-		-	-	-	-	-
		-	-	-		-	-	-	-	-
		-	-	-		-	-	-	-	-
Totals						10	10	8	28	100.0%

Unit Area Totals by Building	Unit GSF (1) (sq ft)	Balcony Area (sq ft)	Total Unit Area (sq ft)
Unit A	6,903	549	7,452
Unit B	2,673	177	2,850
Unit C	12,744	708	13,452
Unit D	2,642	122	2,764
Unit E	2,654	126	2,780
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
Totals	27,616	1,682	29,298

Note 1: Per ANSI/BOMA Z65.4-2010
 Note 2: Unit GSF + Balcony + Common area
 Note 3: Total Unit Area / Total Floor Area

Building Totals	Unit GSF (1) (sq ft)	Balcony Area (sq ft)	Total Unit Area (sq ft)	Common Area (sq ft)	Total Floor Area (2)	Rentable to Gross (3)
Garage	-	-	-	12,982	12,982	0.0%
1st Floor	10,088	602	10,690	2,292	12,982	82.3%
2nd Floor	10,088	602	10,690	2,292	12,982	82.3%
3rd Floor	7,440	478	7,918	2,292	10,210	77.6%
	-	-	-	-	-	-
	-	-	-	-	-	-
Totals	27,616	1,682	29,298	19,858	49,156	59.6%

POWDER MILL PLACE

Maynard, MA

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BUILDING DATA - 4 STORY PODIUM

BDG B - 46 DU 1 Building(s)

Units by Floor	Description	Unit GSF (1) (sq ft)	Balcony Area (sq ft)	Total Unit Area (sq ft)	Garage	1st Floor	2nd Floor	3rd Floor	4th Floor	Total	Distribution		
Unit A	1 Bed / 1 Bath	767	61	828		5	5	5	5	20	43.5%		
Unit B	1 Bed - Den / 1 Bath	891	59	950						-			
Unit C	2 Bed / 2 Bath	1,062	59	1,121		5	5	5	5	20	43.5%		
Unit D	2 Bed / Den / 2 Bath	1,321	61	1,382		1	1	1		3	6.5%		
Unit E	3 Bed / 2 Bath	1,327	63	1,390		1	1	1		3	6.5%		
-	-	-	-	-						-			
-	-	-	-	-						-			
-	-	-	-	-						-			
-	-	-	-	-						-			
-	-	-	-	-						-			
Totals						-	12	12	12	10	-	46	100.0%

Unit Area Totals by Building	Unit GSF (1) (sq ft)	Balcony Area (sq ft)	Total Unit Area (sq ft)
Unit A	15,340	1,220	16,560
Unit B	-	-	-
Unit C	21,240	1,180	22,420
Unit D	3,963	183	4,146
Unit E	3,981	189	4,170
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-
Totals			
	44,524	2,772	47,296

Note 1: Per ANSI/BOMA Z65.4-2010
 Note 2: Unit GSF + Balcony + Common area
 Note 3: Total Unit Area / Total Floor Area

Building Totals	Unit GSF (1) (sq ft)	Balcony Area (sq ft)	Total Unit Area (sq ft)	Common Area (sq ft)	Total Floor Area (2)	Rentable to Gross (3)
Garage	-	-	-	14,628	14,628	0.0%
1st Floor	11,793	724	12,517	2,111	14,628	85.6%
2nd Floor	11,793	724	12,517	2,111	14,628	85.6%
3rd Floor	11,793	724	12,517	2,111	14,628	85.6%
4th Floor	9,145	600	9,745	2,111	11,856	82.2%
-	-	-	-	-	-	-
Totals						
	44,524	2,772	47,296	23,072	70,368	67.2%

POWDER MILL PLACE
 Maynard, MA
 9/18/17

PROJECT DATA

Units by Project	Description	Unit GSF (1) (sq ft)	BLDG				TOTAL	Percent of Total		
			A 38 DU	B 84 DU	C-D 66 DU	Total		Bedrooms		
Unit A	1 Bed / 1 Bath	828	9	20	-	29	39.2%	29		
Unit B	1 Bed - Den / 1 Bath	950	3	-	-	3	4.1%	3		
Unit C	2 Bed / 2 Bath	1,121	12	20	-	32	43.2%	64		
Unit D	2 Bed / Den / 2 Bath	1,382	2	3	-	5	6.8%	10		
Unit E	3 Bed / 2 Bath	1,390	2	3	-	5	6.8%	15		
-	-	-	-	-	-	-	-	-		
-	-	-	-	-	-	-	-	-		
-	-	-	-	-	-	-	-	-		
-	-	-	-	-	-	-	-	-		
-	-	-	-	-	-	-	-	-		
Totals			28	46	-	-	-	74	100.0%	121

Unit Area Totals by Project	Unit GSF (1) (sq ft)	Distribution
Unit A	24,012	31.3%
Unit B	2,850	3.7%
Unit C	35,872	46.8%
Unit D	6,910	9.0%
Unit E	6,950	9.1%
-	-	-
-	-	-
-	-	-
-	-	-
-	-	-
Totals	76,594	100.0%

Note 1: Per ANSI/BOMA Z65.4-2010
 Note 2: Unit GSF + Balcony + Common area
 Note 3: Total Unit Area / Total Floor Area

Building Totals by Project	Unit GSF (1) (sq ft)	Common Area (sq ft)	Total Floor Area (2)	Rentable to Gross (2)	Total Parking Req'd.
Residential Buildings	76,594	42,930	119,524	64.1%	132
Clubhouse			-		
Mail Kiosk			-		
Totals			119,524		132

Powder Mill Place

Acton/Maynard, MA

Affirmative Marketing Plan

Affirmative fair marketing of all the affordable units shall be conducted to provide maximum opportunity for moderate-income households, including minority households, to apply for the lottery. Print Ads will run at least twice within the 60 day marketing period in the newspapers listed.

Once the Tenant Selection and Marketing Plan has been approved by DHCD, Equity Alliance LLC or through a qualified agent will be placing ads online on the websites listed on the following pages. The 60 day marketing period will start upon the publication of the first online ad. A detailed timeline starting with the first placements of ads is included in the Information Packet.

Equity Alliance LLC or through a qualified agent will also contact all the print advertisers and set up the first ad insertions in each paper so that the first print ads are placed as quickly as possible in each publication. The second print ad will be run in each paper approximately 2 to 3 weeks after the first print ad.

Within a week of the online ads being posted, notices will also be sent to the organizations and social service groups listed herein. Additional community contact groups can be added to the marketing plan as directed by the Town.

CHAPA no longer posts developments on their website unless they are the monitoring agent but the affordable units will be placed on the Massachusetts Affordable Housing Registry (operated by CHAPA).

Interested households can respond to the ad by contacting Equity Alliance LLC or through a qualified agent via phone or email and having materials mailed or emailed to them, depending on request. Information Packets and Applications will also be available for download directly from the Equity Alliance LLC or through a qualified agent website.

Information Packets and Applications will also be made available at the Acton and Maynard Town Hall and the Acton and Maynard Public Library.

POWDER MILL PLACE

ACTON & MAYNARD

AFFORDABLE UNIT TENANT SELECTION PLAN

General Information

Powder Mill Place and the **Towns of Acton and Maynard** will work together to develop a brand new multi-family rental housing development: Powder Mill Place. This community will eventually consist of 254 rental apartment units, 64 of which will be rented to households with annual incomes not exceeding 80% of Area Median Income for the Boston-Cambridge-Quincy HMFA adjusted for family size as determined by HUD.

The anticipated delivery of the first of the affordable units is March 2020. The last affordable units should be ready for occupancy in September 2020.

For more details on the units, unit pricing, the Lottery, and lease-up process for the affordable apartments at Powder Mill Place, in the future, the developer will prepare a **Information Packet** and the **Post-Lottery Process and Compliance** below.

In compliance with the Regulatory Agreement, the Department of Housing and Community Development Local Initiative Program, and rent calculation methodologies approved by DHCD, the rents for the 64 units will be calculated from 80% of the Area Median Income for the Boston-Cambridge-Quincy HMFA. Please see the attached **rent schedule** for more details on the utility types, the utility allowances, and the initial net rents that will be charged. Adjustments for Standard Utility Allowances are based on utilities allowances published by the Acton and Maynard Housing Authority.

There are standard spaces (garage and surface), ADA accessible and van accessible spaces, as might be required, providing a total of 344 spaces. There is approximate 1 space in the garage available for each unit and at least 1 space on the surface.

For details on how the affordable units will be marketed, please see the **Affirmative Marketing Plan**.

Rental Qualifying Standards and Compliance with iCORI Standards

Powder Mill Place will be professionally managed by a **qualified but yet determined professional management company**.

For the affordable units, co-signers and guarantors are not allowed as only people who will live in the unit can sign the lease.

Powder Mill Place will do business in accordance with the Fair Housing Act. The Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, prohibits discrimination in the sale or rental of housing and in advertising the sale or rental of housing to any person because of race, color, religion, sex, handicap, familial status, or national origin.

It has and will continue to be the policy of Powder Mill Place and the Management Company to provide equal housing opportunities for all people, regardless of race, color, religion, sex, handicap, familial status, or national origin and all other protected classes as specified by a property's local jurisdiction.

Post-Lottery Process and Compliance

The lottery will establish the Waiting Lists for each unit type as described in the Information Packet. Following the Lottery, households who were not entered into the Lottery will be allowed to complete Waiting List Applications and will be placed on the appropriate Waiting List based on their household sizes, types and priority. Post-Lottery applicants will be placed behind all Lottery applicants on the Waiting Lists.

These post-lottery applicants will be allowed to move forward in the leasing process only after the lottery applicants ahead of them on the Waiting Lists have been processed as outlined in the Information Packet.

Post-Lottery Applicants will be reviewed by the leasing office for lease eligibility and will be allowed to put down a holding deposit to reserve a unit and establish a move-in date. The household will then need to complete the Eligibility Review and be deemed eligible for the program prior to moving into an affordable unit. If the application is incomplete, the applicant will not be allowed to move into an affordable unit until they have completed the application by Powder Mill Place (and DHCD) standards.

DHCD can perform an audit or review of the applicant files, or a representative sampling of files, after households have moved into their affordable unit. If the files of any affordable unit tenants are incomplete, or if any affordable unit tenants appear to be ineligible, Powder Mill Place will work with the respective household in ensuring that all questions of DHCD are satisfied.

Lottery applicants with move-in dates between 90 and 120 days from the date of the lottery will need to complete a verification form with Powder Mill Place that their income and assets have not changed since their lottery application. Lottery applicants with move-in dates more than 120 days from the date of the lottery will need to complete a second and final review of their eligibility approximately with Powder Mill Place. This second review of eligibility will be done approximately 60 days prior to their move-in date to ensure that they are still eligible and that the documentation in their file is still 90 days current of their move-in date.

Rent Update in 2020

In December 2019, after HUD publishes the most current Area Median Income numbers for Boston-Cambridge-Quincy HMFA, Powder Mill Place will recalculate the affordable rents for Powder Mill Place and submit them to DHCD for approval.

If marketing begins prior to DHCD's approval of the the most current rents, any eligible applicants to the original marketing (for the lottery) get the originally advertised rents (from the most current published) until all affordable units are occupied. For applicants to the original marketing still on a waiting list after all affordable units are occupied, if new rents are approved and advertised, those remaining original eligible applicants on the waiting lists may be charged the newly advertised rents, along with anyone applying to the new marketing.

Recertification

In accordance with the 40B program guidelines, all persons residing in the affordable rate apartment units must re-certify their income qualifications annually at the time of lease renewal. Powder Mill Place has retained Equity Alliance LLC or through a qualified third party to assist in general affordable housing compliance but it is not known at this time if Equity Alliance will be retained in that capacity at this property. However, Equity Alliance LLC or through an independent qualified third party will ensure that they have the extensive experience in managing properties that have affordable housing components in Massachusetts.

Please also see the future **Affordable Lease Addendum** for details on the Recertification Process.