



Comprehensive Permit Site Approval Application Rental

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Comprehensive Permit Site Approval Application/Rental

Attached is the Massachusetts Housing Finance Agency ("MassHousing") application form for Project Eligibility/Site Approval ("Site Approval") under the state's comprehensive permit statute (M.G.L. c. 40B, Sections 20-23 enacted as Chapter 774 of the Acts of 1969) known as "Chapter 40B". Developers seeking a comprehensive permit to construct affordable housing under Chapter 40B and intending to use a MassHousing financing program or financing through the New England Fund ("NEF") program must receive Site Approval from MassHousing. This approval (also referred to as "project eligibility approval") is a required component of any comprehensive permit application to be submitted to the local Zoning Board of Appeals of the municipality in which the development is to be located.

As part of its review of your application, MassHousing will conduct an inspection of the site and will solicit comments from the relevant municipality. MassHousing will consider any relevant concerns that the municipality might have about the proposed project or the developer. The applicant is encouraged, therefore, to make contact with the municipality prior to submitting the Site Approval application in order to ensure that the applicant understands any concerns that the municipality may be likely to raise regarding the proposed development.

In order for a project to receive Site Approval, MassHousing must determine that (i) the applicant has sufficient legal control of the site, (ii) the applicant is a public agency, non-profit organization or limited dividend organization, and (iii) the applicant and the project are generally eligible under the requirements of the MassHousing program selected by the applicant, subject to final eligibility review and approval. Furthermore, MassHousing must determine that the site of the proposed project is generally appropriate for residential development (taking into consideration municipal actions previously taken to meet affordable housing needs) and that the conceptual project design is generally appropriate for the site. In order for MassHousing to be able to make these findings (required by 760 CMR 56.04 (4)), it is important that you answer all questions in the application and include all required attachments.

Please note that MassHousing requires that all applicants meet with a member of our Planning and Programs Department staff before submitting their application. Applications for any projects that have not been the subject of a required pre-application meeting will not be accepted or processed.

Upon completion of its analysis, MassHousing will either issue a Site Approval Letter that approves, conditionally approves or denies the application. If the application is approved, the applicant should apply to the Zoning Board of Appeals within two years from the date of the Site Approval Letter (unless MassHousing extends such term in writing).

Please note that Site Approval from MassHousing does not constitute a loan commitment by MassHousing or any other financing program. All potential MassHousing financing is subject to further review and underwriting by MassHousing's Rental Lending Department.

Please be sure you have familiarized yourself with all of the applicable requirements set forth in the Chapter 40B regulations and guidelines, which can be found at

<https://www.mass.gov/doc/760-cmr-56-comprehensive-permit-low-or-moderate-income-housing/download>
www.mass.gov/hed/docs/dhcd/legal/comprehensivepermitguidelines.pdf.

Instructions for completing the Site Approval Application are included in the application form which is attached. The completed application form and all additional documentation should be sent, after your pre-application meeting has been held, to:

**Manager of Planning Programs
One Beacon Street, Boston, MA 02108**

We look forward to working with you on your proposed development. Please contact Jessica Malcolm at 617-854-1201 or jmalcolm@masshousing.com to discuss scheduling your pre-application meeting or if there is any assistance that we can provide in the meantime to make your application process a smooth and efficient one.

Our Commitment to You

MassHousing recognizes that applicants seek some measure of predictability regarding the timeframe for our processing of their applications. Our staff will endeavor to adhere to the following schedule for reviewing applications for site approval :

Within one week of receipt of your application (provided that you have attended a required pre-application meeting) a member of our staff will notify you of any of the items listed on the checklist at the end of the application form that were missing from your application package. Please note that our acknowledgement of receipt of an item does not indicate that any substantive review has yet taken place.

If your application package is missing any of the items indicated on the checklist by an asterisk, we will not be able to continue processing your application until such items are received.

If we have received the information which is crucial to the commencement of our review process, we will proceed to (i) give the municipality a period of thirty (30) days in which to submit comments relating to your proposal, (ii) schedule and conduct a site visit, and (iii) solicit bids for and commission and review an "as is" appraisal of your site.

If during our review of your application package we determine that additional information or clarification is needed, we will notify you as soon as possible. Depending on when we receive such additional information, this may affect the amount of time required for MassHousing to complete the site approval process.

Assuming that your application package was complete and that you respond in a timely manner to requests for additional information or clarification, we would expect to issue or deny your site approval within 90 days of our receipt of your application package.



Application for Chapter 40B Project Eligibility / Site Approval

for MassHousing-Financed and New England Fund (“NEF”) Rental Projects

Section 1: GENERAL INFORMATION

Name of Proposed Project: 120 Turnpike Road

Municipality: Southborough

County: Worcester

Address of Site: 120 Turnpike Road

Cross Street:

Zip Code: 01772

Tax Parcel I.D. Number(s): 37/120/4

Name of Proposed Development Entity Ferris Development Group, LLC

(typically a single purpose entity):

Entity Type: Limited Dividend Organization

** If the Proposed Development Entity is a Non-Profit, please contact MassHousing regarding additional documentation that must be submitted.*

Has this entity already been formed? Yes

State Formed: Massachusetts

Name of Applicant: FD 120 Turnpike, LLC

(typically the Proposed Development Entity or its controlling entity or individual)

Applicant's Web Address: <http://www.ferrisdevelopment.com>

Does the applicant have a related party relationship with any other member of the development team? Yes

If yes, please explain:

David M. Ferris is the owner of both LLCs.

Primary Contact Information:

Contact Name: Brian R. Charville

Relationship to Applicant:

Company Name: Ferris Development Group, LLC

General Counsel and COO

Address: 118 Turnpike Rd., Ste. 300

Municipality: Southborough

State: Massachusetts

Zip: 01772

Phone: 508-281-5610

Cell Phone: 617-631-4434

Email: bcharville@ferrisdevelopment.com

Secondary Contact Information:**Contact Name:** David M. Ferris**Relationship to Applicant:****Company Name:** FD 120 Turnpike, LLC**Address:** 118 Turnpike Rd., Ste. 300**Municipality:** Southborough**State:** Massachusetts**Zip:** 01772**Phone:** 508-281-5600**Cell Phone:** 617-529-9556**Email:** david@ferrisdevelopment.com**Additional Contact Information:****Contact Name:****Relationship to Applicant:****Company Name:****Address:****Municipality:****State:****Zip:****Phone:****Cell Phone:****Email:****Anticipated Construction Financing:** Other**Name of Lender (if not MassHousing financed):****Anticipated Permanent Financing:** NEF**Other Lenders:** Digital Credit Union

Please note: under the NEF Program, a minimum of 25% of the Permanent financing must be obtained from an NEF Lender and remain in place for 5 years

Age Restriction: None**Brief Project Description:**

The overall property consists of 20.48 acres of land located in both the Highway Business and Residence A zoning districts. The project includes creation of a separate 8 acre lot at the south end of the property, located entirely within the Residence A district, and the construction of a 60 unit apartment building with appurtenant parking and utilities on the new lot. The project also includes a proposed dog park and playground area. There will be no change to the existing septic system or other infrastructure on the property. There will be a 35' easement from the existing lot to the new lot for access and utilities. The newly created lot will have access to Turnpike Road via a 24' access driveway with 4' sidewalk.

Application for Chapter 40B Project Eligibility / Site Approval

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Section 2: EXISTING CONDITIONS / SITE INFORMATION

In order to issue Site Approval, MassHousing must find (as required by 760 CMR 56.04 (4)) that the site is generally appropriate for residential development.

Buildable Area Calculations (Acres)

Total Site Area:	8.02
Wetland Area (per MA DEP):	0.23
Flood Hazard Area (per FEMA):	0.00
Endangered Species Habitat (per MESA):	0.00
Conservation / Article 97 Land:	0.00
Protected Agricultural Land (i.e. EO 193):	0.00
Other Non-Buildable:	0.00
Total Non-Buildable Area:	0.23
Total Buildable Area:	7.79

Current use of the site and prior use if known:

Undeveloped woodland.

Is the site located entirely within one municipality? Yes

If not, in what other municipality is the site located?

How much land is in each municipality?

Additional Site Addresses:

Current zoning classification and principal permitted uses:

Residence A

Previous Development Efforts

Please list any previous applications pertaining to construction on or development of the site, including (i) type of application (comprehensive permit, subdivision, special permit, etc.); (ii) application filing date; (iii) date of denial, approval or withdrawal. Also indicate the current Applicant's role, if any, in the previous applications.

Note that, pursuant to 760 CMR 56.03 (1), a decision of a Zoning Board of Appeals to deny a Comprehensive Permit, or (if the Statutory Minima defined at 760 CMR 56.03 (3) (b or c) have been satisfied) grant a Comprehensive Permit with conditions, shall be upheld if a related application has previously been received, as set forth in 760 CMR 56.03 (7).

None.

To the best of your knowledge, has this site ever been rejected for project eligibility/site approval by another subsidizing agency or authority? No

If Rejected, Please Explain:

Existing Utilities and Infrastructure	Yes/No	Description
Wastewater- private wastewater treatment	Yes	Private wastewater treatment
Wastewater - public sewer	No	
Storm Sewer	Yes	Can be extended from Lot A
Water-public water	Yes	Water to be extended from Lot A
Water-private well	No	
Natural Gas	No	
Electricity	Yes	Can be extended from Lot A
Roadway Access to Site	Yes	Easement through Lot A to Turnpike
Sidewalk Access to Site	No	
Other	No	

Describe Surrounding Land Uses:

Property to the north, 118 & 120 Turnpike, is commercial office use, owned by applicant. Property to the west, 132 &134 Turnpike Rd., is commercial office use. Property to the east, 104 Turnpike Rd., is a commercial nursery. Property to the south is owned by the Town of Southborough.

Surrounding Land Use/Amenities	Distance from Site	Available by Public Transportation?
Shopping Facilities	4.00	N/A
Schools	3.00	N/A
Government Offices	3.00	N/A
Multi-Family Housing	3.00	N/A
Public Safety Facilities	3.00	N/A

Office/Industrial Uses	0.01	N/A
Conservation Land	0.01	N/A
Recreational Facilities	1.00	N/A
Houses of Worship	3.00	N/A
Other	0.00	N/A

Public transportation near the Site, including type of transportaion and distance from site:

There is one MBTA station at 87 Southville Rd., 6 minutes from the site.

Site Characteristics and Development Constraints

Are there any easements, rights of way or other restrictions of record affecting the development of the site ?	No
Is there any evidence of hazardous, flammable or explosive material on the site?	No
Is the site, or any portion thereof, located within a designated flood hazard area?	No
Does the site include areas designated by Natural Heritage as endangered species habitat?	No
Are there documented state-designated wetlands on the site?	Yes
Are there documented vernal pools on the site?	No
Is the site within a local or state Historic District or listed on the National Register or Historic Places?	No
Has the site or any building(s) on the site been designated as a local, state or national landmark?	No
Are there existing buildings and structures on site?	No
Does the site include documented archeological resources?	No
Does the site include any known significant areas of ledge or steep slopes?	No

Application for Chapter 40B Project Eligibility / Site Approval

for MassHousing-Financed and New England Fund (“NEF”) Rental Projects

Section 3: PROJECT INFORMATION

In order to issue Site Approval, MassHousing must find (as required by 760 CMR 56.04 (4)) that the proposed project appears generally eligible under the requirements of the housing subsidy program and that the conceptual project design is generally appropriate for the site.

Construction Type: New Construction

Total Dwelling Units:	60	Total Number of Affordable Units:	15
Number of Market Units:	45	Number of AMI 50% Affordable Units:	0
		Number of AMI 80% Affordable Units:	15

Unit Information:

Unit Type	Bedrooms	Baths	# Of Units	Unit Sq. Ft.	Rent	Utilities
Market	1 Bedroom	1 Bath	28	915	\$2,475	\$0
Market	2 Bedroom	2 Baths	13	1,300	\$3,000	\$0
Market	3 Bedroom	3 Baths	4	1,375	\$3,525	\$0
Affordable Unit - Below 80%	1 Bedroom	1 Bath	9	915	\$1,775	\$236
Affordable Unit - Below 80%	2 Bedroom	2 Baths	4	1,177	\$2,130	\$318
Affordable Unit - Below 80%	3 Bedroom	3 Baths	2	1,352	\$2,461	\$396

Utility Allowance Assumptions (utilities to be paid by tenants):

Tenants to pay electric utilities, which include heating, cooking, electricity and water heating.

Percentage of Units with 3 or More Bedrooms: 10.00

* Note that the January 17, 2014 Interagency Agreement Regarding Housing Opportunities for Families with Children requires that at least 10% of the units in the Project must have three (3) or more bedrooms. Evidence of compliance with this requirement must be provided at Final Approval.

Handicapped Accessible Units - Total: 0 **Market Rate:** 0 **Affordable:** 0
Gross Density (units per acre): 7.4813 **Net Density (units per buildable acre):** 7.7022

Building Information:

Building Type	Building Style	Construction Type	Stories	Height	GFA	Number Bldg
Residential	Multi-family	Construction	4	44	81,791	1

Will all features and amenities available to market unit residents also be available to affordable unit residents?

Yes

If not, explain the differences:

Parking

Total Parking Spaces Provided: 114

Ratio of Parking Spaces to Housing Units: 1.9

Lot Coverage

Buildings: 7%

Parking and Paved Areas: 16%

Usable Open Space: 74%

Unusable Open Space: 3%

Lot Coverage: 23%

Does project fit definition of "Large Project" (as defined in 760 CMR 56.03 (6))? No

**Application for Chapter 40B Project Eligibility / Site Approval
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Section 4: SITE CONTROL

Grantor/Seller:

Grantee/Buyer:

Grantee/Buyer Type: Applicant

If Other, Explain:

Are the Parties Related? No

For Deeds or Ground Leases:

Date(s) of Deed(s) or Ground Leases(s): 08/24/2020

Purchase Price: \$3,475,000

For Purchase and Sales Agreements or Option Agreements:

Date of Agreement:

Expiration Date:

Date of Extension (if extension granted):

New Expiration Date (if extension granted):

Purchase Price: \$0

Will any easements or rights of way over other properties be required in order to develop the site as proposed?: Yes

If Yes, Current Status of Easement: Owned by Development Entity

Date(s) of Easements(s):

For Easements:

Date of Agreement:

Purchase Price: \$0

For Easement Purchase and Sales Agreements or Easement Option Agreements:

Expiration Date:

Date of Extension (if extension granted):

New Expiration Date (if extension granted)

Purchase Price: \$0

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Section 5: FINANCIAL INFORMATION

In order to issue Site Approval, MassHousing must find (as required by 760 CMR 56.04 (4)) that an initial pro forma has been reviewed and that the Proposed Project appears financially feasible and consistent with the Chapter 40B Guidelines, and that the Proposed Project is fundable under the applicable program.

Initial Capital Budget

Sources

Description	Source	Budgeted
Private Equity	Owner's Cash Equity	\$7,004,747
Private Equity	Tax Credit Equity	\$0
Private Equity	Developer Fee Contributed or Loaned	\$0
Private Equity	Developer Overhead Contributed or Loaned	\$0
Other Private Equity		\$0
Public/Soft Debt		\$0
Subordinate Debt		\$0
Permanent Debt	DCU	\$8,000,000
Permanent Debt		\$9,887,534
Construction Debt	for informational purposes only, not included in Sources T	\$0
Additional Source		\$0
Additional Source		\$0
Total Sources		\$24,892,281

Pre-Permit Land Value

Item	Budgeted
As-Is Market Value*:	\$0
Reasonable Carrying Costs:	\$0
Total Pre-Permit Land Value:	\$0

* As-Is market value to be determined by a MassHousing commissioned appraisal

Uses (Costs)

Item	Budgeted
Acquisition Cost (Actual):	
Actual Acquisition Cost: Land	\$1,042,237
Actual Acquisition Cost: Buildings	\$0
Reasonable Carrying Costs	\$0
Subtotal - Acquisition Costs	\$1,042,237
Construction Costs-Building Structural Costs (Hard Costs):	
Building Structure Costs	\$18,673,737
Hard Cost Contingency	\$0
Subtotal - Building Structural Costs (Hard Costs)	\$18,673,737
Construction Costs-Site Work (Hard Costs):	
Earth Work	\$617,119
Utilities: On-Site	\$517,119
Utilities: Off-Site	\$287,288
Roads and Walks	\$287,288
Site Improvement	\$172,373
Lawns and Plantings	\$114,915
Geotechnical Condition	\$86,186
Environmental Remediation	\$0
Demolition	\$0
Unusual Site Conditions/Other Site Work	\$0
Subtotal - Site Work (Hard Costs)	\$2,082,288
Construction Costs-General Conditions, Builders Overhead and Profit (Hard Costs):	
General Conditions	\$143,644
Builder's Overhead	\$0
Builder's Profit	\$574,577
Subtotal - General Conditions, Builder's Overhead & Profit	\$718,221
General Development Costs (Soft Costs):	
Appraisal and Marketing Study <i>(not 40B "As Is" Appraisal)</i>	\$0
Marketing and Initial Rent Up <i>(include model units if any)</i>	\$0
Real Estate Taxes <i>(during construction)</i>	\$15,000
Utility Usage <i>(during construction)</i>	\$10,000
Insurance <i>(during construction)</i>	\$25,000
Security <i>(during construction)</i>	\$10,000
Inspecting Engineer <i>(during construction)</i>	\$15,000
Construction Loan Interest	\$500,000
Fees to Construction Lender:	\$60,000
Fees to Permanent Lender: DCU	\$60,000
Fees to Other Lenders:	\$0

General Development Costs (Soft Costs) - *continued*

Item	Budgeted
Architecture / Engineering	\$1,288,455
Survey, Permits, etc.	\$30,000
Clerk of the Works	\$0
Construction Manager	\$100,000
Bond Premiums	\$30,000
Environmental Engineer	\$0
Legal	\$40,000
Title (including title insurance) and Recording	\$20,000
Accounting and Cost Certification (incl. 40B)	\$10,000
Relocation	\$0
40B Site Approval Processing Fee	\$7,803
40B Technical Assistance / Mediation Fee	\$5,500
40B Land Appraisal Cost (as-is value)	\$5,000
40B Final Approval Processing Fee	\$14,040
40B Subsidizing Agency Cost Certification Examination Fee	\$10,000
40B Monitoring Agent Fee	\$20,000
MIP	\$0
Credit Enhancement	\$0
Letter of Credit Fees	\$0
Tax Credit Allocation Fee	\$0
Other Financing Fees	\$0
Development Consultant	\$0
Other Consultant:	\$0
Other Consultant:	\$0
Syndication Costs	\$0
Soft Cost Contingency	\$100,000
Other Development Costs:	\$0
Subtotal - General Development Costs (Soft Costs)	\$2,375,798
Developer Fee and Overhead:	
Developer Fee	\$0
Developer Overhead	\$0
Subtotal Developer Fee and Overhead	\$0
Capitalized Reserves:	
Development Reserves	\$0
Initial Rent Up Reserves	\$0
Operating Reserves	\$0
Net Worth Account	\$0
Other Capitalized Reserves	\$0

Subtotal - Capitalized Reserves **\$0**

Summary of Subtotals

Item	Budgeted
Acquisition Costs (Actual):	\$1,042,237
Building Structural Costs (Hard Costs)	\$18,673,737
Site Work (Hard Costs)	\$2,082,288
General Conditions, Builder's Overhead & Profit (Hard Costs)	\$718,221
Developer Fee and Overhead	\$0
General Development Costs (Soft Costs)	\$2,375,798
Capitalized Reserves	\$0
Total Development Costs (TDC)	\$24,892,281

Summary

Total Sources	\$24,892,281
Total Uses (TDC)	\$24,892,281

Projected Developer Fee and Overhead*: **\$2,637,116**

Maximum Allowable Developer Fee and Overhead::** **\$2,637,116**

Projected Developer Fee and Overhead Equals **100.00% of Maximum Allowable Fee and Overhead**

** Note in particular the provisions of Section IV.B.5.a of the Guidelines, which detail the tasks (i) for which a developer may or may not receive compensation beyond the Maximum Allowable Developer Fee and Overhead and (ii) the costs of which must, if the tasks were performed by third parties, be included within the Maximum Allowable Developer Fee and Overhead.*

*** Please consult the most recent DHCD Qualified Allocation Plan (QAP) to determine how to calculate the maximum allowable developer fee and overhead. If you have any questions regarding this calculation, please contact MassHousing.*

Initial Rental Operating Pro-Forma (for year one of operations)

Item	Notes	Amount
Permanent Debt Assumptions		
Loan Amount	Lende DCU & other	\$17,887,534
Annual Rate		0.05%
Term	5 years (360)	0 Months
Amortization	360	96,024 Months
Lender Required Debt Service Coverage Ratio		0.00
Gross Rental Income		\$1,771,548
Other Income (utilities, parking)		\$0
Less Vacancy (Market Units): 5% (vacancy rate)		\$73,440
Less Vacancy (Affordable Units): 5% (vacancy rate)		\$0
Gross Effective Income		\$1,698,108
Less Operating Expenses		\$531,464
Net Operating Income		\$1,166,644
Less Permanent Loan Debt Service	Annual mortgage principal, interest, taxes and insurance	\$1,152,290
Cash Flow		\$14,354
Debt Service Coverage		0.00

Describe Other Income:

Rental Operating Expense Assumption

Item	Notes	Amount
Assumed Maximum Operating Expenses	<i>Calculated based on Net Operating Income, Debt Service and required Debt Service Coverage listed above.</i>	\$545,818
Assumed Maximum Operating Expense/Unit*	Number of Units: 60	\$9,097

* MassHousing may request further detail regarding projected operating expenses if such expenses appear higher or lower than market comparables.

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Section 6: APPLICANT QUALIFICATIONS, ENTITY INFORMATION, AND CERTIFICATION

In order to issue Site Approval MassHousing must find (as required by 760 CRM 56.04 (4)) that the applicant is either a non-profit public agency or would be eligible to apply as a Limited Dividend Organization and meets the general eligibility standards of the program.

Development Team:

Company Name	Contact Name	Contact Role	Applicant	Dev Entity	Primary For Role
FD 120 Turnpike, LLC	David M. Ferris	Owner	Yes	No	Yes
Ferris Development Group	Brian R. Charville	Attorney	No	Yes	Yes
L.A. Associates, Inc.	Kristen Costa	Lottery Agent	No	No	Yes
Azimuth Land Design, LLC	James Tetreault	Consultant - Architect and Engineer	No	No	Yes
Monte French Design Stud	Monte French	Consultant - Architect and Engineer	No	No	Yes

Entities Responsible for Development Tasks:

Development Task	Developer / Applicant	Contact Name / Company
Architecture and Engineering	No	Azimuth Land Design, LLC, James Tetreault
Architecture and Engineering	No	Monte French Design Studio, Monte French
Construction Management	Yes	FD 120 Turnpike, LLC, David M. Ferris
Finance Package	No	Ferris Development Group, LLC, Brian R. Charville
Local Permitting	No	L.A. Associates, Inc., Kristen Costa

Affiliated Entities:

Company Name	Individual Name	Affiliation	Relation
FD 120 Turnpike, LLC	David M. Ferris	Managing Entity	Applicant

Previous Applications:

Project Name:

Filing Date:

Municipality:

Subsidizing Agency:

Decision:

Type:

Other Reference:

Certification and Acknowledgement

I hereby certify on behalf of the Applicant, under pains and penalties of perjury, that the information provided above for each of the Applicant Entities is, to the best of my knowledge, true and complete; and that each of the following questions has been answered correctly to the best of my knowledge and belief:

(Please attach a written explanation for all of the following questions that are answered with a "Yes". Explanations should be attached to this Section 6.)

Question	Answer
Is there pending litigation with respect to any of the Applicant Entities ?	No
Are there any outstanding liens or judgments against any properties owned by any of the Applicant Entities ?	No
Have any of the Applicant Entities failed to comply with provisions of Massachusetts law related to taxes , reporting of employees and contractors, or withholding of child support?	No
Have any of the Applicant Entities ever been the subject of a felony indictment or conviction ?	No
During the last 10 years, have any of the Applicant Entities ever been party to a lawsuit involving fraud , gross negligence, misrepresentation, dishonesty, breach of fiduciary responsibility or bankruptcy?	No
Have any of the Applicant Entities failed to carry out obligations in connection with a Comprehensive Permit issued pursuant to M.G.L. c. 40B and any regulations or guidelines promulgated thereunder (whether or not MassHousing is or was the Subsidizing Agency/Project Administrator) including, but not limited to, completion of a cost examination and return of any excess profits or distributions?	No
Have any of the Applicant Entities ever been charged with a violation of state or federal fair housing requirements ?	No
Are any of the Applicant Entities not current on all existing obligations to the Commonwealth of Massachusetts , and any agency, authority or instrument thereof?	No

I further certify that the information set forth in this application (including attachments) is true, accurate and complete as of the date hereof to the best of my/our knowledge, information and belief. I further understand that MassHousing is relying on this information in processing the request for Site Approval in connection with the above-referenced project; and

I hereby acknowledge our commitment and obligation to comply with requirements for cost examination and limitations on profits and distributions, all as found at 760 CMR 56.04(8) and will be more particularly set forth in a Regulatory Agreement by and between the Applicant and MassHousing.

I hereby acknowledge that will be required to provide financial surety by means of bond, cash escrow and a surety escrow agreement or letter of credit with the agreement that it may be called upon or used in the event that the Developer fails either to (i) complete and submit the examined Cost Certification as required by 760 CMR 56.04(8) and the Regulatory Agreement, or (ii) pay over to the Subsidizing Agency or the Municipality any funds in excess of the limitations on profits and distributions from capital sources as required by 760 CMR 56.04(8) and as set forth in the Regulatory Agreement.

Signature: _____

Name: David M. Ferris

Title: Owner

Date: 06/23/2023

Application for Chapter 40B Project Eligibility / Site Approval

for MassHousing-Financed and New England Fund (“NEF”) Rental Projects

Section 7: NOTIFICATION AND FEES

Notices

Event	Date
Date(s) of meetings, if any, with municipal officials prior to submission of application to MassHousing:	06/06/2023
Date of Pre-Application Meeting with MassHousing:	02/13/2023
Date copy of complete application sent to chief elected office of municipality :	06/26/2023
Date notice of application sent to DHCD:	06/23/2023

Fees

All fees that are payable to MassHousing should be sent via ACH/Wire Transfer. Please contact MassHousing for the ACH/Wire Transfer instructions.

Fees payable to the Massachusetts Housing Partnership should be sent directly to MHP with the [MHP Cover Letter](#).

Fee	Amount	Description
MassHousing Application Processing Fee:	\$7,803	<i>payable to MassHousing</i>
Chapter 40B Technical Assistance/Mediation Fee:	\$2,500 (<i>Limited Dividend Sponsor \$2,500, Non-Profit or Public Agency Sponsor \$1,000</i>)	
Unit Fee:	\$3,000 (<i>\$50 per Unit</i>)	
Total TA/Mediation and Unit Fee:	\$5,500	<i>(Payable to Massachusetts Housing Partnership)</i>

Land Appraisal Cost: You will be required to pay for an "as-is" market value appraisal of the Site to be commission by MassHousing. MassHousing will contact you once a quote has been received for the cost of the appraisal.

SUSTAINABLE DEVELOPMENT CRITERIA

MassHousing encourages housing development that is consistent with sustainable development designs and green building practices. Please provide information indicating that your development complies with either Method 1 or Method 2 of the Sustainable Development Principles

Method 2 - Consistency with Sustainable Development Principles

Development meets a minimum of **five (5)** of the Commonwealth's *Sustainable Development Principles* as shown in the next section below.

If the development involves strong municipal support, the development need only meet four (4) of the Sustainable Development Principles. However, one (1) of the Principles met must be **Protect Land and Ecosystems**. Please check the applicable boxes within the "Optional - Demonstration of Municipal Support" section below, include an explanation in the box if necessary and provide attachments where applicable.

Optional - Demonstration of Municipal Support

- Letter of Support from the Chief Elected Official of the municipality * No
- Housing development involves municipal funding No
- Housing development involves land owned or donated by the municipality No

**Other acceptable evidence: Zoning variance issued by ZBA for project; Minutes from Board of Selectman meeting showing that project was discussed and approved, etc.*

Explanation (Required)

Please explain at the end of each category how the development follows the relevant *Sustainable Development Principle(s)* and explain how the development demonstrates each of the checked "X" statements listed under the *Sustainable Development Principle(s)*.

(1) Concentrate Development and Mix Uses

Support the revitalization of city and town centers and neighborhoods by promoting development that is compact, conserves land, protects historic resources, and integrates uses. Encourage remediation and reuse of existing sites, structures, and infrastructure rather than new construction in undeveloped areas. Create pedestrian friendly districts and neighborhoods that mix commercial, civic, cultural, educational, and recreational activities with open spaces and homes.

- Higher density than surrounding area Yes
- Mixes uses or adds new uses to an existing neighborhood Yes
- Includes multi-family housing Yes
- Utilizes existing water/sewer infrastructure Yes
- Compact and/or clustered so as to preserve undeveloped land Yes
- Reuse existing sites, structures, or infrastructure No
- Pedestrian friendly No
- Other (discuss below) No

Explanation (Required)

This project adds a multi-family residential housing use to the existing surrounding commercial uses. The proposal includes extension of existing water infrastructure. The project includes one apartment building and preserves undeveloped land.

(2) Advance Equity & Make Efficient Decisions

Promote equitable sharing of the benefits and burdens of development. Provide technical and strategic support for inclusive community planning and decision making to ensure social, economic, and environmental justice. Ensure that the interests of future generations are not compromised by today's decisions.

Promote development in accordance with smart growth and environmental stewardship.

- Concerted public participation effort (beyond the minimally required public hearings)	No
- Streamlined permitting process, such as 40B or 40R	Yes
- Universal Design and/or visitability	No
- Creates affordable housing in middle to upper income area and/or meets regional need	No
- Creates affordable housing in high poverty area	No
- Promotes diversity and social equity and improves the neighborhood	No
- Includes environmental cleanup and/or neighborhood improvement in an Environmental Justice Community	No
- Other (discuss below)	No

Explanation (Required)

This is a 40B application.

(3) Protect Land and Ecosystems

Protect and restore environmentally sensitive lands, natural resources, agricultural lands, critical habitats, wetlands and water resources, and cultural and historic landscapes. Increase the quantity, quality and accessibility of open spaces and recreational opportunities.

- Creation or preservation of open space or passive recreational facilities	Yes
- Protection of sensitive land, including prime agricultural land, critical habitats, and wetlands	No
- Environmental remediation or clean up	No
- Responds to state or federal mandate (e.g., clean drinking water, drainage, etc.)	No
- Eliminates or reduces neighborhood blight	No
- Addresses public health and safety risk	No
- Cultural or Historic landscape/existing neighborhood enhancement	No
- Other (discuss below)	No

Explanation (Required)

The project includes 5.9 acres of usable open space and preserves .65 acres of unusable open space.

(4) Use Natural Resources Wisely

Construct and promote developments, buildings, and infrastructure that conserve natural resources by reducing waste and pollution through efficient use of land, energy, water and materials.

- Uses alternative technologies for water and/or wastewater treatment	No
- Uses low impact development (LID) for other innovative techniques	No
- Other (discuss below)	No

Explanation (Required)

(5) Expand Housing Opportunities

Support the construction and rehabilitation of homes to meet the needs of people of all abilities, income levels and household types. Build homes near jobs, transit, and where services are available. Foster the development of housing, particularly multifamily and single-family homes, in a way that is compatible with a community's character and vision and with providing new housing choices for people of all means.

- Includes rental units, including for low/mod households	Yes
- Includes homeownership units, including for low/mod households	No
- Includes housing options for special needs and disabled population	No
- Expands the term of affordability	No
- Homes are near jobs, transit and other services	No
- Other (discuss below)	No

Explanation (Required)

The project includes rental units including 25% low income affordable units.

(6) Provide Transportation Choice

Maintain and expand transportation options that maximize mobility, reduce congestion, conserve fuel and improve air quality. Prioritize rail, bus, boat, rapid and surface transit, shared-vehicle and shared-ride services, bicycling and walking. Invest strategically in existing and new passenger and freight transportation infrastructure that supports sound economic development consistent with smart growth objectives.

- Walkable to public transportation	No
- Reduces dependence on private automobiles (e.g., provides previously unavailable shared transportation, such as Zip Car or shuttle buses)	No
- Increased bike and ped access	No
- For rural areas, located in close proximity (i.e., approximately one mile) to a transportation corridor that provides access to employment centers, retail/commercial centers, civic or cultural destinations	Yes
- Other (discuss below)	No

Explanation (Required)

The site has direct access to Route 9, which runs from Worcester to Brookline.

(7) Increase Job and Business Opportunities

Attract businesses and jobs to locations near housing, infrastructure, and transportation options. Promote economic development in industry clusters. Expand access to education, training and entrepreneurial opportunities. Support growth of local businesses, including sustainable natural resource-based businesses, such as agriculture, forestry, clean energy technology and fisheries.

- Permanent Jobs	No
- Permanent jobs for low- or moderate- income persons	No
- Jobs near housing, service or transit	No
- Housing near an employment center	No
- Expand access to education, training or entrepreneurial opportunities	No
- Support local business	No
- Support natural resource-based businesses (i.e., farming, forestry, or aquaculture)	No
- Re-uses or recycles materials from a local or regional industry's waste stream	No
- Support manufacture of resource-efficient materials, such as recycled or low-toxicity materials	No
- Support businesses that utilize locally produced resources such as locally harvested wood or agricultural products	No
- Other (discuss below)	No

Explanation (Required)

(8) Promote Clean Energy

Maximize energy efficiency and renewable energy opportunities. Support energy conservation strategies, local clean power generation, distributed generation technologies, and innovative industries. Reduce greenhouse gas emissions and consumption of fossil fuels.

- Energy Star or Equivalent*	Yes
- Uses renewable energy source, recycled and/or non-/low-toxic materials, exceeds the state energy code, is configured to optimize solar access, and/or otherwise results in was reduction and conservation of resources	No
- Other (discuss below)	No

*All units are required by MassHousing to be Energy Star Efficient. Please include in your explanation a description of how the development will meet Energy Star criteria.

Explanation (Required)

All units will include electric heat pump systems and energy efficient appliances.

(9) Plan Regionally

Support the development and implementation of local and regional, state and interstate plans that have broad public support and are consistent with these principles. Foster development projects, land and water conservation, transportation and housing that have a regional or multi-community benefit. Consider the long term costs and benefits to the Commonwealth.

- Consistent with a municipally supported regional plan	No
- Addresses barriers identified in a Regional Analysis of Impediments to Fair Housing	No
- Measureable public benefit beyond the applicant community	No
- Other (discuss below)	No

Explanation (Required)