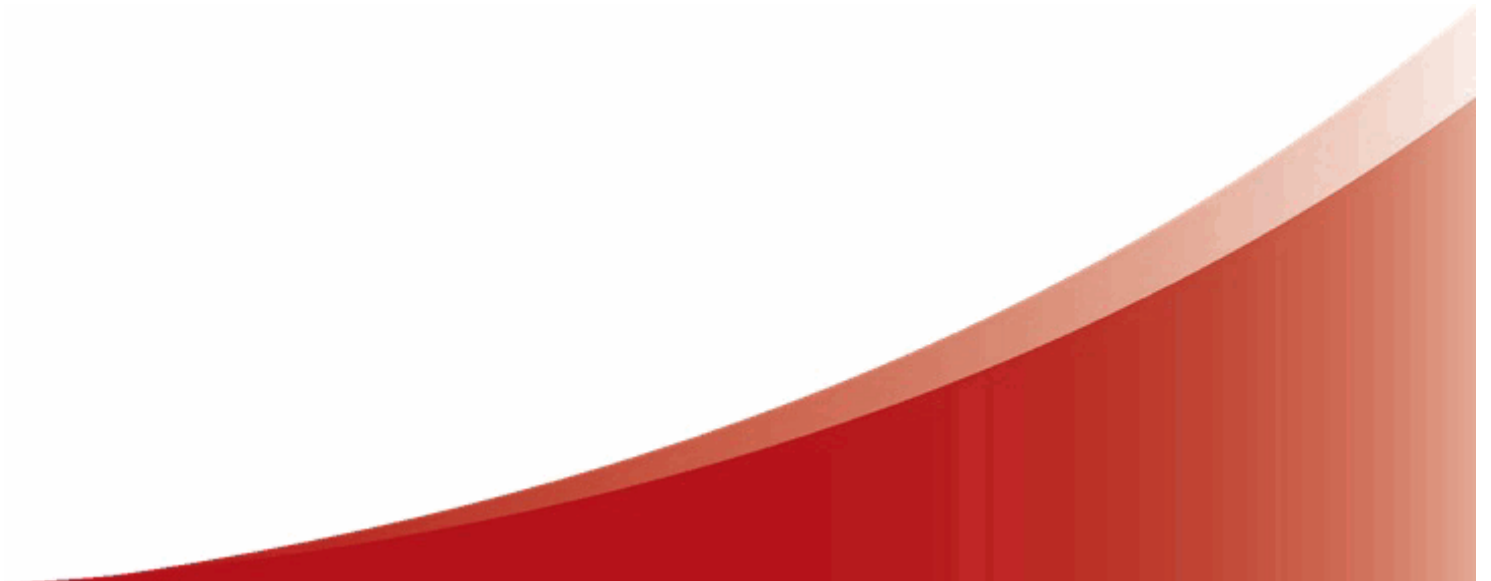




**Comprehensive Permit  
Site Approval Application  
Homeownership**

[www.masshousing.com](http://www.masshousing.com) | [www.masshousingrental.com](http://www.masshousingrental.com)



## Comprehensive Permit Site Approval Application/Homeownership

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](https://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](mailto: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") Homeownership Projects

#### Section 1: GENERAL INFORMATION

**Name of Proposed Project:** Farm Road Homes

**Municipality:** Sherborn

**County:** Middlesex

**Address of Site:** Portion of 55-65 Farm Road

**Cross Street:** Great Rock Road

**Zip Code:** 01770

**Tax Parcel I.D. Number(s):** Map 11, Parcel 60

**Name of Proposed Development Entity** Fenix Partners Farm Road Development, 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:** Fenix Partners Farm Road Development, LLC

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

**Applicant's Web Address:**

Does the Applicant have a related party relationship with any other member of the development team ?No

If yes, please explain:

#### Primary Contact Information:

#### StateDesc

**Contact Name:** Lynne D. Sweet

**Relationship to Applicant:**

**Company Name:** LDS CONSULTING GROUP, LLC

**Address:** 170 Worcester Street, Suite 206

**Municipality:** WELLESLEY

**State:** Massachusetts

**Zip:** 02481

**Phone:** 7819433963

**Cell Phone:** 6175712064

**Email:** ldsweet@ldsconsultinggroup.com

**Secondary Contact Information:****Contact Name:** Robert Murchison**Relationship to Applicant:****Company Name:** Fenix Partners Farm Road Development, LLC**Address:** 177 Lake Street**Municipality:** Sherborn**State:** Massachusetts**Zip:** 01770**Phone:****Cell Phone:** (617) 308-1961**Email:** bob.murchison@me.com**Additional Contact Information:****Contact Name:****Relationship to Applicant:****Company Name:****Address:****Municipality:****State:****Zip:****Phone:****Cell Phone:****Email:****Anticipated Financing:****Name of Lender (if not MassHousing financed):****Age Restriction:** None**Brief Project Description:**

"Farm Road Homes" will be located on fourteen acres of land at 55-65 Farm Road in Sherborn, MA shown on a ANR Plan of Land dated February 24, 2022, and prepared by Samiotes Consulting Inc. The Applicant, Fenix Partners Farm Road Development, LLC has planned 32 units of homeownership condominiums including 14 Two Bedroom 2.5 bath duplex units, 6 two-bedroom 1.5 bathroom cottages, 6 three bedroom 2.5 bathroom front loaded homes and 6 three bedroom 2.5 bathroom rear loaded homes. All units except for the Cottages will have two car garages. The Cottages will each have two surface parking spaces. Each unit will have an open concept kitchen living room area and washer/dryer. Each unit will have one or more of the following: patio, farmers porch or deck. Eight units will be income restricted to 80% of Area Median Income for the Boston-Cambridge-Quincy HUD market area.

The development will be served from Farm Road by pole mounted utilities for electricity/cable tv, telephone and other communications which will be brought to the entrance of the site and placed underground. The site will also be served by seven rows of solar panels which are planned on the northern portion of the site. The Applicant hopes to meet net-zero energy standards. Furthermore, the applicant will seek to make the project fossil fuel free by working with MA Save to adopt an all-electric heating system. In addition, the homes will be served by private water and shared onsite septic system. Unit owners will be provided with exclusive use area around their buildings. There will be a walking path along one side of the internal roadway. Trash and recycling will be private with weekly pick-ups at curbside and the cost paid for in the Homeowners Association (HOA) fee.

## Application for Chapter 40B Project Eligibility / Site Approval

### for MassHousing-Financed and New England Fund ("NEF") Homeownership Projects

#### 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:	14.00
Wetland Area (per MA DEP):	1.03
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:	1.03
Total Buildable Area:	12.97

#### Current use of the site and prior use if known:

Single Family Home

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:

RA - SFH, Farm, Religious, Educational

#### 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).*

The Applicant has acquired 16.7 acres and a single-family house at #55 and #65 Farm Road. Through an ANR process, the existing house is now on a site of 1.5 acres. In addition, a conforming (by-right) new building lot of 1.2 acres was created through an ANR and permitted by the Sherborn BOH for a well and septic in November 2021.

The remaining fourteen acres were previously the subject of informal discussions with various town officials about development of an additional three to eight homes

**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:**

See previous development efforts.

Existing Utilities and Infrastructure	Yes/No	Description
Wastewater- private wastewater treatment	Yes	
Wastewater - public sewer	No	
Storm Sewer	No	
Water-public water	No	
Water-private well	Yes	
Natural Gas	No	
Electricity	Yes	
Roadway Access to Site	Yes	
Sidewalk Access to Site	No	
Other	No	

**Describe Surrounding Land Uses:**

Residential, Fields and Wooded

Surrounding Land Use/Amenities	Distance from Site	Available by Public Transportation?
Shopping Facilities	4.20	No
Schools	1.40	No
Government Offices	0.23	No
Multi-Family Housing	0.08	No
Public Safety Facilities	1.10	No
Office/Industrial Uses	0.23	No
Conservation Land	0.08	No
Recreational Facilities	0.52	No
Houses of Worship	3.90	No
Other	0.00	No

**Public transportation near the Site, including type of transportation and distance from 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") Homeownership 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

<b>Total Dwelling Units:</b>	32	<b>Total Number of Affordable Units:</b>	8
<b>Number of Market Units:</b>	24	<b>Number of AMI 50% Affordable Units:</b>	0
		<b>Number of AMI 80% Affordable Units:</b>	8

#### Unit Information:

Unit Type	Bedrooms	Baths	# Of Units	Unit Sq. Ft.	Sales Price	Condo/HO Fee
Affordable Unit - Below 80%	2 Bedroom	2.5 Bat	3	1,495	\$272,000	\$108
Affordable Unit - Below 80%	2 Bedroom	1.5 Bat	2	1,197	\$272,000	\$108
Affordable Unit - Below 80%	3 Bedroom	2.5 Bat	1	2,483	\$294,000	\$117
Affordable Unit - Below 80%	3 Bedroom	2.5 Bat	2	1,765	\$294,000	\$117
Market	2 Bedroom	1.5 Bat	11	1,495	\$725,000	\$288
Market	2 Bedroom	2.5 Bat	4	1,197	\$610,000	\$243
Market	3 Bedroom	2.5 Bat	5	2,483	\$995,000	\$396
Market	3 Bedroom	2.5 Bat	4	1,754	\$825,000	\$329

#### Approach to calculating any additional fees relating to Condominium Association or Homeowners Association:

The affordable unit % interest/HOA fee will be calculated based on purchase price.

**Percentage of Units with 3 or More Bedrooms:** 38

\* 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.

<b>Handicapped Accessible Units - Total:</b>	0	<b>Market Rate:</b>	0	<b>Affordable:</b>	0
<b>Gross Density (units per acre):</b>	2.2857	<b>Net Density (units per buildableacre):</b>	2.4672		

#### Building Information

Building Type	Building Style	Construction Type	Stories	Height	GFA	Number Bldg
Residential	Single family detached	Construction	2	30	25,488	12
Residential	Townhouse	Construction	2	30	20,930	7
Residential	Single family detached	Construction	2	30	7,182	6

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

Yes

If not, explain the differences:

Interior finishes/appliances will differ.

### Parking

Total Parking Spaces Provided: 114      Ratio of Parking Spaces to Housing Units: 3.56

### Lot Coverage

Buildings:	8%	Parking and Paved Areas:	8%
Usable Open Space:	78%	Unusable Open Space:	7%
Lot Coverage:	16%		

Does project fit definition of “Large Project” (as defined in 760 CMR 56.03 (6))?

No

**Application for Chapter 40B Project Eligibility / Site Approval**

**for MassHousing-Financed and New England Fund ("NEF") Homeownership Projects**

**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):**

**Purchase Price:** \$0

**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?:** No

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

**Date(s) of Easements(s):**

**For Easements:**

**Date of Agreement:**

**Purchase Price:** 0.00

**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

Application for Chapter 40B Project Eligibility / Site Approval  
for MassHousing-Financed and New England Fund (“NEF”) Homeownership Projects

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

Sales / Revenue

Market: 18,690,000

Affordable: \$2,242,000

Related Party: \$0

Other Income: \$0

Total Sales/Revenue: 20,932,000

Pre-Permit Land Value

Item	Budgeted
As-Is Market Value*:	\$3,200,000
Reasonable Carrying Costs:	0
Subtotal - Pre-Permit Land Value:	\$3,200,000

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

**Uses (Costs)**

Item	Budgeted
<b>Acquisition Cost (Actual):</b>	
Actual Acquisition Cost: Land	\$3,200,000
Actual Acquisition Cost: Buildings	\$0
Reasonable Carrying Costs	\$0
<b>Total Acquisition Cost (Actual)</b>	<b>\$3,200,000</b>
 <b>Construction Costs-Residential Construction Costs (Hard Costs):</b>	
Building Structure Costs	\$10,560,000
Hard Cost Contingency	\$578,000
<b>Subtotal - Residential Construction (Hard Costs)</b>	<b>\$11,138,000</b>
 <b>Construction Costs-Site Work (Hard Costs):</b>	
Earth Work	\$300,000
Utilities: On-Site	\$550,000
Utilities: Off-Site	\$0
Roads and Walks	\$0
Site Improvement	\$0
Lawns and Plantings	\$150,000
Geotechnical Condition	\$0
Environmental Remediation	\$0
Demolition	\$0
Unusual Site Conditions/Other Site Work	\$0
<b>Subtotal - Site Work (Hard Costs)</b>	<b>\$1,000,000</b>
 <b>Construction Costs-General Conditions, Builders Overhead and Profit (Hard Costs):</b>	
General Conditions	\$728,280
Builder's Overhead	\$728,280
Builder's Profit	\$242,760
<b>Subtotal - General Conditions, Builder's Overhead &amp; Profit</b>	<b>\$1,699,320</b>
 <b>General Development Costs (Soft Costs):</b>	
Appraisal and Marketing Study <i>(not 40B "As Is" Appraisal)</i>	\$2,500
Lottery	\$67,260
Commissions/Advertising-Affordable	\$10,000
Commissions/Advertising-Market	\$934,500
Model Unit	\$2,500
Closing Costs <i>(unit sales)</i>	\$95,450
Real Estate Taxes	\$25,000
Utility Usage <i>(during construction)</i>	\$10,000
Insurance <i>(during construction)</i>	\$30,000

<b>Security</b> <i>(during construction)</i>	\$6,000
<b>Inspecting Engineer</b> <i>(during construction)</i>	\$10,000
<b>Construction Loan Interest</b>	\$450,000
<b>General Development Costs (Soft Costs)</b> - continued	

Item	Budgeted
<b>Fees to Construction Lender:</b>	\$0
<b>Fees to Other Lenders:</b>	\$0
<b>Architectural</b>	\$100,000
<b>Engineering</b>	\$100,000
<b>Survey, Permits, etc.</b>	\$180,600
<b>Clerk of the Works</b>	\$0
<b>Construction Manager</b>	\$150,000
<b>Bond Premiums</b> <i>(payment/performance/lien bond)</i>	\$0
<b>Legal</b>	\$50,000
<b>Title</b> <i>(including title insurance)</i> <b>and Recording</b>	\$10,000
<b>Accounting and Cost Certification</b> <i>(incl. 40B)</i>	\$10,000
<b>Relocation</b>	\$0
<b>40B Site Approval Processing Fee</b>	\$7,650
<b>40B Technical Assistance / Mediation Fee</b>	\$4,100
<b>40B Land Appraisal Cost</b> <i>(as-is value)</i>	\$5,000
<b>40B Final Approval Processing Fee</b>	\$28,000
<b>40B Subsidizing Agency Cost Certification Examination Fee</b>	\$50,000
<b>40B Monitoring Agent Fee</b>	\$9,600
<b>40B Surety Fees</b>	\$1,000
<b>Other Financing Fees</b>	\$0
<b>Development Consultant</b>	\$25,000
<b>Other Consultant:</b>	\$67,500
<b>Other Consultant:</b> legal. condo docs, assoc fees	\$27,500
<b>Soft Cost Contingency</b>	\$73,685
<b>Other Development Costs</b>	\$0
<b>Subtotal - General Development Costs (Soft Costs)</b>	<b>\$2,542,845</b>
<b>Developer Overhead:</b>	
<b>Developer Overhead</b>	\$119,000
<b>Subtotal Developer Fee and Overhead</b>	<b>\$119,000</b>

### Summary of Subtotals

Item	Budgeted
Sales/Revenue	\$20,932,000
Pre-Permit Land Value	\$3,200,000
Residential Construction	\$11,138,000
Site Work (Hard Costs)	\$1,000,000
General Conditions, Builder's Overhead & Profit (Hard Costs)	\$1,699,320
General Development Costs (Soft Costs)	\$2,542,845
Developer Fee and Overhead	\$119,000

### Summary

Total Sales/Revenue	\$20,932,000
Total Uses (TDC)	\$19,699,165
Profit (Loss) from Sales Revenue	\$1,232,835
Percentage of Profit (Loss) Over the Total Development Costs (TDC)	6.2583

### Application for Chapter 40B Project Eligibility / Site Approval

for MassHousing-Financed and New England Fund ("NEF") Homeownership Projects

#### 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
Fenix Partners Farm Road	Robert Murchison	Developer	Yes	Yes	Yes
Creative Land & Water Eng	Dr. Desheng Wang	Consultant - Architect and Engineering	No	No	No
Samiotes Consultants, Inc	Andrew D'Alessandro	Consultant - Other	No	No	No
Union Studios	Jeremy Lake	Consultant - Architect and Engineering	No	No	No
LDS CONSULTING GROU	Lynne D. Sweet	Development Consultant	No	No	No
Blatman, Bobrowski, Haver	Paul J. Haverly	Attorney	No	No	No
Sustainable Comfort Inc.	James Moriarty	Consultant - Other	No	No	No
Civico Parthers	Andrew Consigli	Consultant - Construction Management	No	No	No

#### Entities Responsible for Development Tasks:

Development Task	Developer / Applicant	Contact Name / Company
Architecture and Engineering	No	Union Studios, Jeremy Lake
Civil Engineering	No	Creative Land & Water Engineering, LL
Construction Management	No	Civico Parthers, Andrew Consigli
Development Consultant	No	LDS CONSULTING GROUP, LLC, Lyn
Finance Package	Yes	Fenix Partners Farm Road Developme
Finance Package	No	LDS CONSULTING GROUP, LLC, Lyn
Local Permitting	No	Blatman, Bobrowski, Haverly & Silvers'
Local Permitting	No	LDS CONSULTING GROUP, LLC, Lyn
Survey	No	Samiotes Consultants, Inc, Andrew D'

#### Affiliated Entities:

Company Name	Individual Name	Affiliation	Relation

**Previous Applications:**

<b>Project Name:</b>	<b>Filing Date:</b>
<b>Municipality:</b>	<b>Decision Date:</b>
<b>Subsidizing Agency:</b>	<b>Decision:</b>
<b>Type:</b>	<b>Other Reference:</b>



## 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: Robert W. Murchison

Title: Manager

Date: 05/13/2022

## Application for Chapter 40B Project Eligibility / Site Approval

### for MassHousing-Financed and New England Fund ("NEF") Homeownership 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 :	05/16/2022
Date of Pre-Application Meeting with MassHousing:	05/05/2022
Date copy of complete application sent to chief elected office of municipality :	05/17/2022
Date notice of application sent to DHCD:	05/17/2022

##### 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	Instructions
<b>MassHousing Application Processing Fee:</b>	<b>\$7,650</b>	payable to MassHousing
Chapter 40B Technical Assistance/Mediation Fee:	\$2,500	(Limited Dividend Sponsor \$2,500, Non-Profit or Public Agency Sponsor \$1,000)
Unit Fee:	\$1,600	(\$50 per Unit)
<b>Total TA/Mediation and Unit Fee:</b>	<b>\$4,100</b>	(Payable to Massachusetts Housing Partnership)

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

SUSTAINABLE DEVELOPMENT CRITERIA SCORECARD

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 1 - Redevelop First

If Rehabilitation:

Rehabilitation/Redevelopment/Improvements to Structure	No
Rehabilitation/Redevelopment/Improvements to Infrastructure	No

If New Construction:

- Contributes to revitalization of town center or neighborhood	No
- Walkable to:	
(a) transit	No
(b) downtown or village center	No
(c) school	No
(d) library	No
(e) retail, services, or employment center	No
- Located in municipally-approved growth center	No

Explanation (Required):

## Method 2 - Consistency with Sustainable Development Principals

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                               | No  |
| - Utilizes existing water/sewer infrastructure                | No  |
| - Compact and/or clustered so as to preserve undeveloped land | Yes |
| - Reuse existing sites, structured, or infrastructure         | No  |
| - Pedestrian friendly   | Yes |
| - Other (discuss below  | No  |

Explanation (Required)

The homes are smaller than typical units in town and clustered together to preserve open space. There will be a sidewalk throughout the site.

## (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	Yes
- Creates affordable housing in high poverty area	No
- Promotes diversity and social equity and improves the neighborhood	Yes
- Includes environmental cleanup and/or neighborhood improvement in an Environmental Justice Community	No
- Other (discuss below)	No

### Explanation (Required)

The project will provide much-needed affordable housing pursuant to Chapter 40B in a community having a strong need for affordable housing and housing choice. Promotes diversity as this is a mixed income property with some units will be market and some at 80% of AMI. As a result of escalating home prices, more than 30% of Sherborn's homeowners are paying more than 30% of their gross income on housing costs. The project is the result of multiple years with town staff and the public to

## (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)	Yes

### Explanation (Required)

The property will comply with the 10 storm water development principals and strive to achieve net zero standards due to solar panels.

**(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)   | Yes |

Explanation (Required)

The development will strive to achieve net zero energy standards due to solar panels and work to be fossil fuel free. It will also use LEP lighting, No VOC exterior paint, low VOC interior finish materials.

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

Explanation (Required)

The project provides units for low income households earning 80% or AMI in perpetuity. It is located in downtown Sherborn, a short drive to employment, retail and recreation opportunities

## (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 | No |
| - Other (discuss below)   | No |

Explanation (Required)

## (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   | Yes |
| - 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   | Yes |
| - 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)

The project will provide temporary construction jobs as well a new management jobs. In addition, the new residents will become customers to the local downtown business.

## **(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*   | No  |
| - 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 | Yes |
| - 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)**

The development will strive to achieve net zero energy standards due to solar panels and work to be fossil fuel free. It will also use LEP lighting, No VOC exterior paint, low VOC interior finish materials.

## **(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 | Yes |
| - Measureable public benefit beyond the applicant community                           | Yes |
| - Other (discuss below)   | No  |

### **Explanation (Required)**

The ability to offer 8 affordable homes in a community that has few will provide a local and regional benefit to have low income workers in an affluent community.