



Massachusetts Housing Finance Agency
One Beacon Street Boston, MA 02108

Tel: 617-854-1000 Relay 711
Fax: 617-854-1091 www.masshousing.com

August 9, 2024

Lynne D. Sweet
LDS Consulting Group, LLC

Re: Notice of Project Change
 Pine Residences, Sherborn, MA
 MH ID No. 1059

Dear Ms. Sweet:

We have received your Notification of Project Change describing proposed modifications to the above-captioned Chapter 40B development. The Project received a Determination of Project Eligibility (Site Approval) from MassHousing on April 30, 2020, for the construction of sixty (60) units of rental housing on approximately 3.8 acres of land located on 41 North Main Street, known as Pine Residences (the "Project").

You requested a determination as to whether proposed modifications including a new well and septic for the Project, and reducing the number of units/bedrooms, would be considered Substantial Changes in accordance with 760 CMR 56.04 (5).

MassHousing has determined that the proposed changes are not a Substantial Change in accordance with 760 CMR 56.04 (5) and 760 CMR 56.07(4)(c). Since compliance with those requirements will not be affected by the proposed changes, MassHousing can confirm that a new Project Eligibility Letter is not required in this instance.

It is MassHousing's interpretation of the Comprehensive Permit Regulations that Subsidizing Agencies should normally not update Project Eligibility Letters as a project develops but should, rather, consider whether the initial proposal is eligible for a subsidy program at the project eligibility stage and then consider whether the final proposal is eligible directly before construction at the Final Approval stage. Any other approach could interfere with Chapter 40B's goal of expedited permitting. It is for this reason that a Project Eligibility Letter issued pursuant to the Comprehensive Permit Regulations shall, pursuant to 760 CMR 56.04(6), be conclusive evidence that the project and the applicant have satisfied the project eligibility requirements.

MassHousing will review the approved Comprehensive Permit Plans once the Project returns for Final Approval, and at that point will determine whether the approved plans still meet the requirements of the 40B regulations and guidelines.

Very truly yours,

Jessica L. Malcolm
Manager
Planning and Programs

The Honorable Rebecca L. Rausch
The Honorable David Paul Linsky
Jeff Waldron, Chair, Select Board
Richard S. Novak, Chair, Zoning Board of Appeals
Jeremy Marsette, Town Administrator