



Massachusetts Housing Finance Agency
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Relay 711
www.masshousing.com

July 12, 2024

Ralph A. Vitacco
Director of Planning & Economic Development

Re: Notice of Project Change
Village Green, Sandwich, MA
MH ID No. 1142

Dear Mr. Vitacco:

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 August 19, 2022, for the construction of one hundred forty-four (144) units of rental housing on approximately 7.27 acres of land located on 76-78 Falmouth Road, known as Village Green (the "Project").

You requested a determination as to whether proposed modifications including the ancillary structures of a wastewater treatment facility, a 10,000 sq/ft agricultural building, a 4.8 MW solar array, and an increase in the total acreage to 33 acres on 2 lots, 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.

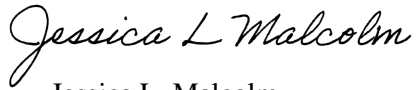
Maura Healey, Governor
Kim Driscoll, Lt. Governor

Jeanne Pinado, Chair
Carolina Avellaneda, Vice Chair

Chrystal Kornegay,
Chief Executive Officer

If I can answer any further questions regarding this Project, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in cursive script that reads "Jessica L. Malcolm".

Jessica L. Malcolm
Manager
Planning and Programs

cc: The Honorable Susan Moran
 The Honorable Steven G. Xiarhos
 Charles M. Holden, Chair, Select Board
 James J. Killion, Chair, Zoning Board of Appeals