

Commonwealth of Massachusetts
DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT

Charles D. Baker, Governor ♦ Karyn Polito, Lieutenant Governor ♦ Jennifer D. Maddox, Undersecretary

June 22, 2022

Mark Gallivan
Chair, Walpole Select Board
135 School Street
Walpole, MA 02081

Dear Mr. Gallivan:

The Department of Housing and Community Development (DHCD) issued a Housing Production Plan (HPP) Certification letter to the Town of Walpole on September 10, 2021 (see attachment). The Walpole HPP Certification letter stated that the certification period was effective from April 27, 2021, to April 26, 2023. The project for which certification was requested is Cedar Crossing/Cedar Edge (SHI ID#10582). The project consisted of 226 rental units, which constituted enough units for a two-year certification period.

The September 10, 2021, letter also informed Walpole that all units must maintain eligibility for the Subsidized Housing Inventory (SHI), "If units are no longer eligible for inclusion on the SHI, they will be removed and will no longer be eligible for certification. This action may affect the term of your certification." DHCD notes that under the Chapter 40B regulations, units created under comprehensive permits need to issue corresponding building permits within 12 months of the final comprehensive permits, as required in 760 CMR 56.03(2)(b.1) and HPP guidelines.¹ In summary, if building permits have not been issued within one year, April 26, 2022, of the final comprehensive permit, units are not eligible for inclusion on the SHI and are also not eligible to be credited towards certification.

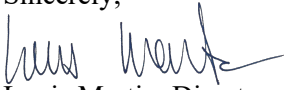
DHCD also sent an email to the Town on May 24, 2022, requesting building permit issuance information (see attachment 2) DHCD has not received a response from the Town. As DHCD has no record of building permit issuance, the units have been removed from the SHI and Walpole's certification is suspended as of April 26, 2022.² Please note that the units will be restored to the SHI and Walpole's certification will be reinstated as soon as we are notified that building permits have been issued for the Cedar Crossing/Cedar Edge development for the required number of units (90 for a two-year certification period).

If you have further questions, please contact Phillip DeMartino, Senior Technical Assistance Program Coordinator, at (617) 573-1357 or Phillip.DeMartino@mass.gov.

¹ Section II.B of the M.G.L. c. 40B Guidelines, available at <https://www.mass.gov/files/documents/2017/10/10/guidecomprehensivepermit.pdf>.

² **Term of Certification.** So long as the units produced are SHI Eligible Housing units (see 760 CMR 56.03), a certification shall be in effect for a period of one year from its effective date if the community has increased its SHI Eligible Housing units 0.5% of the total year round housing units or two years from its effective date if it has increased its number of SHI Eligible Housing units 1.0% of total year round housing units. If the units by which the municipality achieved its certification become ineligible for the SHI, then the certification shall lapse as of the date that the units became ineligible for the SHI. If such units become eligible for the SHI during the remaining term of the certification period, then the certification shall be re-instated for such remaining term." Section II.B.9 of the M.G.L. c. 40B Guidelines.

Sincerely,



Louis Martin, Director
Division of Community Services

cc: Senator Paul R. Feeney
Representative Edward R. Philips
Representative Paul McMurtry
Representative John H. Rogers
Representative Shawn Dooley
Jim Johnson, Town Administrator, Town of Walpole
Patrick Deschenes, Director of Community and Economic Development, Town of Walpole
Margaux LeClair, Counsel & Fair Housing Specialist, DHCD

Attachments