



Town of Walpole
Commonwealth of Massachusetts
Zoning Board of Appeals

Zoning Board of Appeals
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June 2, 2022

Wall Street Development Corp.
Attn: Louis Petrozzi, President (By Certified & Regular Mail)
P.O. Box 272
Westwood, MA 02090

Re: Written Notice of Safe Harbor Pursuant to 760 CMR 56.03(1)(b) and (8)
Residence at Darwin Commons, Darwin Lane, Walpole MA
(July 8, 2021 - MassHousing Project Eligibility Determination)

Dear Mr. Petrozzi,

Please be advised that this correspondence shall serve as written notice to you, Louis Petrozzi (the "Applicant") from the Walpole Zoning Board of Appeals (the "Board"), that, on May 25, 2022, the Board opened the public hearing regarding your application for a comprehensive permit for the project known as The Residence at Darwin Commons, Walpole, Massachusetts (the "Application"), and the Board voted 3 to 0 to invoke and declare that denial of the Darwin Commons 40B application is consistent with local needs as defined in 760 CMR 56.03(1)(b) and 56.03(4) due to receipt of a Certification of Approval, dated September 10, 2021, issued by the Massachusetts Department of Housing and Community Development, certifying the Town of Walpole's compliance with its Housing Production Plan, approved for a two-year period running from April 27, 2021 to April 26, 2023.

The basis for the Board's determination is that the Town of Walpole ("Town") has achieved one of the statutory minima standards set forth under G.L. c.40B, §§20-23 and 760 CMR 56.03(1)(b) and (4) because the Department of Housing and Community Development ("DHCD") has certified compliance with the Town's Housing Production Plan. A copy of DHCD's certification of compliance with an approved HPP for Walpole is enclosed herewith.

This written notice was forwarded to both the Applicant and to DHCD on June 2, 2022, within 15 days of the May 25, 2021 opening of the public hearing on the Application.

Regards,

John Lee, Chair
Walpole Zoning Board of Appeals

cc: Mr. Philip DeMartino, Department of Housing and Community Development (By Certified & Regular Mail and Electronic Mail)
Ms. Catherine Racer, Department of Housing and Community Development (By Certified & Regular Mail)
Ms. Alana Murphy, Department of Housing and Community Development (By Certified & Regular Mail)
Mr. James Johnson, Town Administrator
Attorney George Pucci, Town Counsel



Commonwealth of Massachusetts
**DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT**

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

September 10, 2021

Mark Gallivan, Chair
Walpole Select Board
Walpole Town Hall
135 School Start
Walpole, MA 02081

RE: Housing Production Plan - Certification Approval

Dear Mr. Gallivan:

The Department of Housing and Community Development (DHCD) has reviewed the Town of Walpole's August 26, 2021 request for certification of compliance with its Housing Production Plan (HPP). In order for a municipality to be certified the following needs to occur:

- Housing units affordable to low and moderate income households and eligible for inclusion on the Subsidized Housing Inventory (SHI) have been produced during one calendar year, the same year for which certification is requested during the initial year of SHI eligibility.
- Units must total at least 0.5% (45) units for Walpole of year-round housing units for one-year of certification. A total of 1% of year-round housing units (90) units for Walpole are needed for a two-year certification,
- The units were produced and are eligible in accordance with the approved HPP and DHCD's c. 40B Guidelines.¹

DHCD makes the following findings:

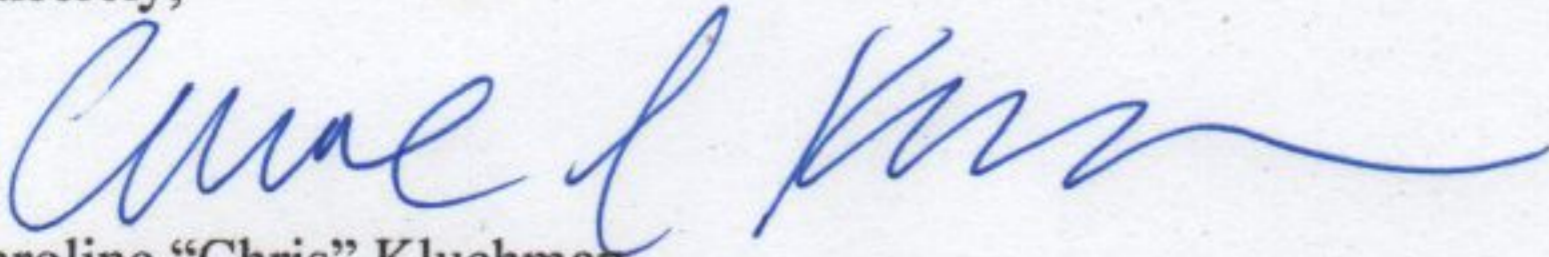
1. Walpole has a valid HPP. The effective date for the HPP is April 23, 2019 the date that DHCD received a complete plan submission. The HPP has a five-year term and will expire on April 22, 2024.
2. The project for which certification was requested for is known as Cedar Crossing/ Cedar Edge (SHI ID# 10582) which consists of 226 SHI units.
3. DHCD finds that the units are eligible for SHI inclusion and have been added to the SHI. The number of SHI units (226) is enough for a two-year certification period (90).
4. The certification period will run from April 27, 2021 to April 26, 2023.

Please note that all units must retain eligibility for the SHI for the entire certification period. 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. I have included an updated list of SHI eligible units. The Town of Walpole's SHI currently stands at 9.74%. I applaud your efforts to plan for the housing needs of Walpole.

¹ <https://www.mass.gov/files/documents/2017/10/10/guidecomprehensivepermit.pdf>.

Please contact Phillip DeMartino, Technical Assistance Coordinator, at (617) 573-1357 or Phillip.DeMartino@mass.gov if you need assistance as you implement your HPP.

Sincerely,



Caroline "Chris" Kluchman
Deputy Director, Division of Community Services

cc Senator Paul R. Feeney
Representative Edward R. Philips
Patrick Deschenes, Director, Community & Economic Development, Walpole
James Johnson, Town Administrator, Walpole