

# **CORRESPONDENCE**

**3-14-16**

**CORRESPONDENCE**

1	The Nature Conservancy	Acceptance of eligibility to receive the Hazard Mitigation Grant	
2	Save the Date	Mass for Public Safety Personnel and Families	
3	Notice of MEPA Consultation	Session for W.L. Byrne, Inc.	
4	Department of Housing & Community Development	Mayflower Manner - Determination of Project Eligibility	
5	Notice of Casualty Loss of Building	First Congregational Church, Plympton St	
6	ABCC Notice	Seasonal Licensees	

#1



The Nature Conservancy in Massachusetts  
99 Bedford Street, Fifth Floor  
Boston, MA 02111

tel (617) 532.8300  
fax (617) 532.8400  
[nature.org/massachusetts](http://nature.org/massachusetts)

6 January 2015

Mr. Allin Frawley, Chair  
Middleborough Select Board  
Town Hall  
10 Nickerson Avenue  
Middleborough, MA 02346

Dear Mr. Frawley,

I am writing to you regarding the post-disaster Hazard Mitigation Grant application the Town of Middleborough submitted to the Federal Emergency Management Agency (FEMA) after the catastrophic flooding in the Spring of 2010.

Recently, the Town received the good news that both FEMA and MEMA (the Massachusetts Emergency Management Agency) have accepted the Town's Hazard Mitigation Plan Update. As a result, the town is now eligible to receive the Hazard Mitigation Grant that was applied for in early 2011.

The Nature Conservancy (TNC) in Massachusetts helped draft the FEMA application in 2011 with the town and remains supportive of the project. With FEMA assuming \$752,835 of the estimated \$1,075,000 project cost, the town and the Conservancy have agreed to equally split the remaining match amount. Based on this arrangement, TNC will assume a maximum of \$161,000 of the project match.

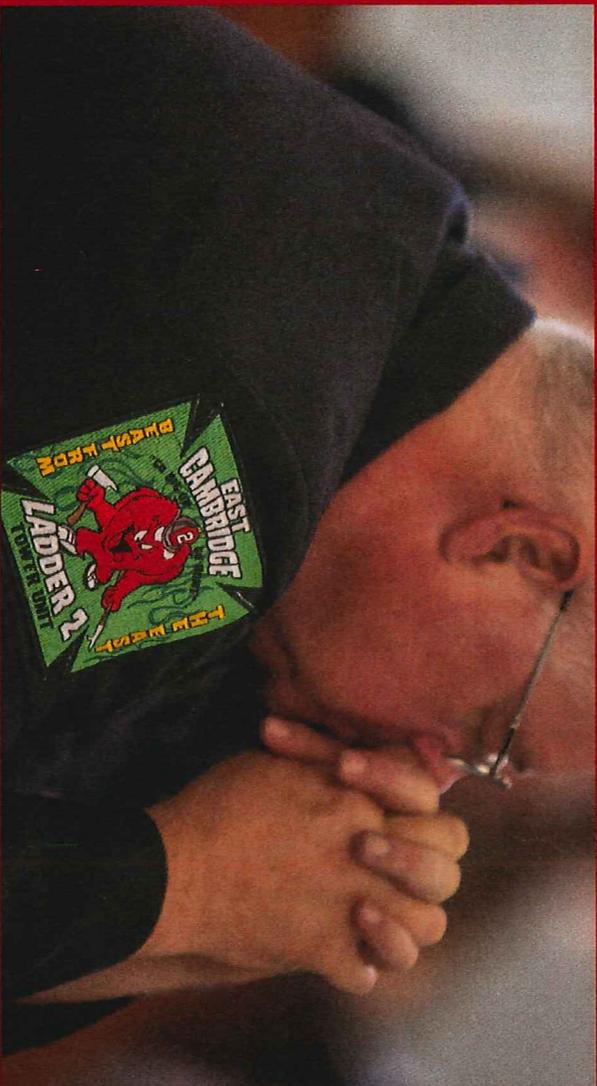
We hope this letter provides some clarity to the funding situation as the select board deliberates the project and that the town will agree to move forward with the FEMA grant.

Please contact David McGowan, Associate Director of Protection, at 617.532.8322, or [dmcgowan@tnc.org](mailto:dmcgowan@tnc.org) if you have any questions.

Sincerely,

Wayne Klockner  
Vice President and Massachusetts State Director

#2



# SAVE THE DATE



# ALL ARE WELCOME



## Mass for Public Safety Personnel and Families

For more information  
please visit :

[http://www.bostoncatholic.org/  
PublicSafetyMass/](http://www.bostoncatholic.org/PublicSafetyMass/)

His Eminence  
Seán P. Cardinal O'Malley, OFM Cap.  
Archbishop of Boston,  
Main Celebrant

**Sunday**  
**October 9, 2016**  
**11:30 AM**

**Cathedral of the Holy  
Cross, Boston**

Photos by George Martell



#3

## Notice of MEPA Consultation Session

**To:** Distribution  
**From:** Holly Johnson, MEPA Unit  
**Subject:** W.L. Byrne, Inc. - Middleborough  
**EEA #:** 15455

---

An Environmental Notification Form (ENF) has been submitted to the Massachusetts Environmental Policy Act (MEPA) office for this project. The project consists of creation of 13 new cranberry bogs and associated water withdrawals (approximately 0.50 million gallons per day). New cranberry bogs will be reclaimed in sequence over approximately 10 years as the ongoing gravel extraction process continues on the 479 acre project site. Bogs will be constructed in upland areas and include water storage and distribution systems, dikes and site grading. The project requires a Water Management Act permit from MassDEP.

A consultation session will be held to receive advice and comments from agencies, officials, and citizens regarding which environmental issues, if any, are significant for this project. Opinions as to the extent and significance of possible environmental impact will be welcome.

The meeting is scheduled as follows:

**Date:** Friday, March 18<sup>th</sup>, 2016

**Time:** 10:00am

**Location:** Meet at Middleborough Town Hall, Selectmen's Meeting Room, 10 Nickerson Avenue, Middleborough

Comments on the project will be welcome in writing prior to March 29<sup>th</sup>, 2016. A Certificate on the ENF will be issued on April 8<sup>th</sup>, 2016.

**Project Contact:** Bill Madden, GAF Engineering, Inc., 508-295-6600

Pursuant to the requirements of the Americans With Disabilities Act, this Meeting Notice is available in alternative formats upon request. Questions on the meeting may be answered by contacting Holly Johnson, MEPA Analyst at (617) 626-1023.

---

**Holly Johnson**

**Policy and Program Analyst, MEPA Office**

**Executive Office of Energy and Environmental Affairs**

100 Cambridge Street, Suite 900 | Boston, MA 02114

☎: 617-626-1023 | 📠: 617-626-1181 | ✉ [holly.s.johnson@state.ma.us](mailto:holly.s.johnson@state.ma.us)

---

#4



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

Charles D. Baker, Governor ♦ Karyn E. Polito, Lt. Governor ♦ Chrystal Komegay, Undersecretary

February 19, 2016

Mr. Marc Resnick, Trustee  
Mayflower Manor Realty Trust  
136 Harvard Avenue  
Allston, Massachusetts 02134

Mr. Allin Frawley, Chair  
Board of Selectman  
Town of Middleborough  
10 Nickerson Avenue  
Middleborough, Massachusetts 02346

RE: Mayflower Manor, Middleborough, Massachusetts  
Determination of Project Eligibility under the Local Initiative Program (LIP)

Dear Messrs. Resnick and Frawley:

I am pleased to inform you that your application for project eligibility under the Local Initiative Program (LIP) for the proposed Mayflower Manor project has been approved. This approval is based on your application that sets forth a plan for the development of forty-four (44) rental units. The proposed rents of the LIP units are generally consistent with the standards for affordable housing to be included in a community's Chapter 40B affordable housing stock.

As part of the review process, Department of Housing and Community Development (DHCD) staff has performed an on-site inspection of the proposed project sites. DHCD has made the following findings:

1. The proposed project appears generally eligible under the requirements of the Local Initiative Program, subject to final program review and approval;
2. The site of the proposed project is generally appropriate for residential development;
3. The conceptual plan is generally appropriate for the site on which the project is located;
4. The proposed project appears financially feasible in the context of the Middleborough housing market;
5. The initial pro forma for the project appears financially feasible and consistent with cost examination and limitations on profits and distributions on the basis of estimated development costs;

6. The project sponsor and the development team meet the general eligibility standards of the Local Initiative Program;
7. The project sponsor has an executed Purchase and Sale agreement for the site.

The proposed project must comply with all state and local codes not specifically exempted by a comprehensive permit.

*Please provide us with a copy of the comprehensive permit as soon as it is issued.* The DHCD legal office will review the comprehensive permit and other project documentation. Additional information may be requested as is deemed necessary. Following the issuance of the comprehensive permit, the specifics of this project must be formalized in a regulatory agreement signed by the municipality, the project developer, and DHCD prior to starting construction.

As stated in the application, the Mayflower Manor project will consist of forty-four (44) units, eleven (11) of which will be eligible for inclusion in the Middleborough's subsidized housing inventory. The affordable units will be marketed, sold and rented to eligible households whose annual income may not exceed 80% of area median income, adjusted for household size, as determined by the U.S. Department of Housing and Urban Development.

The conditions that must be met prior to final DHCD approval include:

1. A final affirmative fair marketing and lottery plan with related forms shall be submitted that reflects LIP requirements including consistency with the *Comprehensive Permit Guidelines, Section III, Affirmative Fair Housing Marketing Plans*;
2. Any changes to the application it has just reviewed and approved, including but not limited to alternations in unit mix, rents, development team, unit design, site plan and financial pro forma reflecting land value, must be approved by DHCD;
3. The project must be organized and operated so as not to violate the state anti-discrimination statute (M.G.L. c151B) or the Federal Fair Housing statute (42 U.S.C. s.3601 et seq.). No restriction on occupancy may be imposed on the affordable unit (other than those created by state or local health and safety laws regulating the number of occupants in dwelling units);
4. The Town shall submit to DHCD the finalized details of the comprehensive permit;

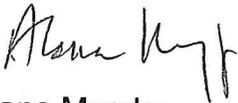
As the Mayflower Manor project nears completion of construction, DHCD staff may visit the site to ensure that the development meets program guidelines.

When the units have received Certificates of Occupancy, the developer must provide the Department of Housing and Community Development with a project cost examination with a copy to be sent to the Town of Middleborough.

This letter shall expire two years from this date or on February 19, 2018 unless a comprehensive permit has been issued.

We congratulate the Town of Middleborough and the project sponsor on their efforts to work together to increase the Town's supply of affordable housing. If you have any questions as you proceed with the project, please call Alana Murphy at 617-573-1301.

Sincerely,



Alana Murphy  
Deputy Associate Director

cc: Peter Freeman, Esq., Freeman Law Group  
Ruth McCawley Geoffroy, Town Planner  
Robert Nunes, Town Manager  
Tammy Mendes, Senior Clerk, Zoning Board of Appeals  
Office of the Chief Counsel, DHCD

Enc.

**RESPONSIBILITY FOR COST CERTIFICATION:**

By your signature below, Mayflower Manor Realty Trust acknowledges and accepts this approval letter, including the obligation under law to provide the Department of Housing and Community Development with a project cost examination with a copy to be sent to the Town of Middleborough.

Signature:

\_\_\_\_\_

Name (print):

\_\_\_\_\_

Date:

\_\_\_\_\_

*Upon receipt, please make copy of this letter and return a signed copy to Division of Housing Development, Department of Housing and Community Development, 100 Cambridge Street, Boston, MA 02114 ATTN: Local Initiative Program*

Mayflower Manor, Middleborough, Massachusetts

**LOCAL INITIATIVE PROGRAM – COMPREHENSIVE PERMIT**

**Sponsor:**

Mayflower Manor Realty Trust  
138 Harvard Avenue  
Allston, MA 02134

**Project Addresses:**

84 South Main Street  
Middleborough, MA 02346

This project will provide ownership opportunities according to the following breakdown:

Type of Unit	# Units	# Bdrms	# Baths	Gross SF	Rents
Market Units	19	1	1	725	\$1,225
	10	2	1-2	1,122	\$1,425
	4	3	1.5-2	1,335	\$1,700
L.I.P. Units	6	1	1	725	\$1,079
	4	2	1-2	1,122	\$1,278
	1	3	1.5-2	1,335	\$1,465
<b>Total Units</b>	44				

#5

**LaMarche Associates**  
54 Hartford Street, Suite 202, PO Box 465  
Westwood, MA 02090  
800-349-1525  
Fax: 781-326-1560

February 19, 2016

Building Commissioner/Inspector of Buildings  
MIDDLEBORO, MA 02346

Board of Health/Board of Selectmen  
MIDDLEBORO, MA 02346

NOTICE OF CASUALTY LOSS TO BUILDING

UNDER MASSACHUSETTS GENERAL LAWS, CHAPTER 139, SECTION 3B

Claim has been made involving loss, damage or destruction of the property captioned below, which may either exceed \$1,000.00 or cause Massachusetts General Laws, Chapter 143, Section 6 to be applicable. If any notice under Massachusetts General Laws, Chapter 139, Section 3B is appropriate, please direct it to the attention of the writer and include a reference to the captioned insured, location, policy number, date of loss, cause of loss and LA file number.

**Insured:** FIRST CONGREGATIONAL CHURCH

**Loss Location:** 6 PLYMPTON ST  
MIDDLEBORO, MA 02346

**Policy Number:** CPP0110608504

**Date of Loss:** 02/15/2016

**Cause of Loss:** Water

**LA File Number:** MA-3-11477

On this date, I caused copies of this notice to be sent to the persons named above at the addresses indicated above by first class mail.

---

John Anderson  
**Adjuster**

#6



*Commonwealth of Massachusetts  
Department of the State Treasurer  
Alcoholic Beverages Control Commission  
239 Causeway Street  
Boston, MA 02114  
Telephone: (617) 727-3040  
Fax: (617) 727-1510*

**Deborah B. Goldberg**  
*Treasurer and Receiver General*

**Kim S. Gainsboro, Esq.**  
*Chairman*

**THE ALCOHOLIC BEVERAGES CONTROL COMMISSION ("ABCC")**  
**MEMORANDUM ON DELIVERIES TO SEASONAL LICENSEES**

Each year the Alcoholic Beverages Control Commission receives inquiries from wholesalers requesting permission to make deliveries to seasonal retail licensees prior to the April 1<sup>st</sup> opening day. Wholesale licensees may deliver alcoholic beverages (on days other than Sunday) to seasonal retail licensees that have renewed their licenses at the same location during the five (5) days immediately preceding the license season. Questions concerning this memorandum can be directed to Ralph Sacramone, Executive Director of the Massachusetts Alcoholic Beverages Control Commission at 617-727-3040 x 731.

**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

A handwritten signature in black ink, appearing to read "K. Gainsboro".

Kim S. Gainsboro, Esq.  
Chairman

(Issued: March 10, 2016)