



**Massachusetts
Housing
Partnership**

November 12, 2015

VIA CERTIFIED MAIL

Ms. Patricia Brown
Chairman
Sudbury Board of Selectmen
Flynn Building
278 Old Sudbury Road
Sudbury, MA 01776

Re: Avalon Sudbury, 526-528 Boston Post Road,
Sudbury, Massachusetts (the "Property")

160 Federal Street
Boston, Massachusetts 02110
Tel: 617-330-9955
Fax: 617-330-1919

462 Main Street
Amherst, Massachusetts 01002
Tel: 413-253-7379
Fax: 413-253-3002

www.mhp.net

Dear Ms. Brown:

Please be advised that Massachusetts Housing Partnership ("MHP") has received a request for a determination of Project Eligibility from Sudbury Avalon, Inc., c/o AvalonBay Communities Inc. for the subject Property. As currently proposed, the development will consist of two-hundred and fifty (250) residential rental units, sixty-three (63) of which would be affordable to households at or below eighty percent (80%) of median income.

AvalonBay Communities Inc. has requested this determination of Project Eligibility as it relates to MHP's Permanent Rental Financing Program (PRFP) and our Fannie Mae Program, which provide for up to a 20-year fixed-rate first mortgage loan and require the owner of the development to execute an Affordable Housing Restriction, filed with the Middlesex Registry of Deeds, which would remain in effect for a minimum of 30 years. The affordability program proposed by the applicant would meet MHP's minimum affordability requirements. Other funders, or the Town of Sudbury, may require that the affordability requirements remain in effect after the initial 30-year term.

We would appreciate any comments that you may have with regard to this proposed development that would assist us as we consider the applicant's request. The comprehensive permit regulations require subsidizing agencies such as MHP to make findings as set forth on the attachment to this letter in order to make a determination of Project Eligibility; any written comments you can provide relevant to these matters would be especially helpful. Please direct any comments that you have, if possible within the next thirty (30) days, to me at MHP's address listed above.

Furthermore, I would like to remind you that in the event an application is made to the Zoning Board of Appeals (ZBA) for a comprehensive permit, technical assistance is available to the ZBA to review the permit application. MHP's Chapter 40B Technical Assistance Program administers grants to municipalities for up to \$10,000 to engage qualified third-party consultants to work with the ZBA in reviewing the Chapter 40B proposal.

For more information about MHP's technical assistance grant visit MHP's website, www.mhp.net or contact Carsten Snow at 617-330-9944 ext. 252, CSnow@mhp.net .

I also want to make you aware that I will conduct our official site visit on November 24, 2015 at 2:00 PM should you or others wish to join me.

Sincerely,



Richard A. Mason
Deputy Director of Lending

760 CMR 56.04(4) Findings in Determination of Project Eligibility

(a) that the proposed Project appears generally eligible under the requirements of the housing subsidy program, subject to final approval under 760 CMR 56.04(7);

(b) that the site of the proposed Project is generally appropriate for residential development, taking into consideration information provide by the municipality or other parties regarding municipal actions previously taken to meet affordable housing needs, such as inclusionary zoning, multifamily districts adopted under M.G.L. c.40A, and overlay districts adopted under M.G.L. c.40R, (such finding, with supporting reasoning, to be set forth in reasonable detail);

(c) that the conceptual project design is generally appropriate for the site on which it is located, taking into consideration factors that may include proposed use, conceptual site plan and building massing, topography, environmental resources, and integration into existing development patterns (such finding, with supporting reasoning, to be set forth in reasonable detail);

(d) that the proposed Project appears financially feasible within the housing market in which it will be situated (based on comparable rentals or sales figures);

(e) that an initial pro forma has been reviewed, including a land valuation determination consistent with the Department's guidelines, and the Project appears financially feasible and consistent with the Department's guidelines for Cost Examination and Limitations on Profits and Distributions (if applicable) on the basis of estimated development costs;

(f) that the Applicant is a public agency, a non profit organization, or a Limited Dividend Organization, and it meets the general eligibility standards of the housing program; and

(g) that the Applicant controls the site, based on evidence that the Applicant or a related entity owns the site, or holds an option or contract to acquire such interest in the site, or has such other interest in the site as is deemed by the Subsidizing Agency to be sufficient to control the site.