

# Exhibit B




October 12, 2011

DHCD  
Office of the Chief Counsel  
100 Cambridge Street, Suite 300  
Boston, MA 02114

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Attn: Subsidized Housing Inventory

As requested in the letter dated September 2, 2011 enclosed is the corrected Subsidized Housing Inventory sheet from the Town of Hingham. If you have any questions or comments please feel free to contact me.

  
Suzanne Letizia-Eddy  
Zoning Administrator





COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF HOUSING &  
COMMUNITY DEVELOPMENT

Deval L. Patrick, Governor ♦ Timothy P. Murray, Lt. Governor ♦ Gregory Bialecki, Secretary, EOHEd

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BOARD OF APPEALS  
HINGHAM MA

MEMORANDUM

To: Local Official  
From: Deborah J. Goddard, Chief Counsel, Office of the Chief Counsel  
Subject: Subsidized Housing Inventory Biennial Update  
Date: September 2, 2011

The Department of Housing and Community Development ("DHCD") is in the process of updating the Chapter 40B Subsidized Housing Inventory ("SHI"). The methodology for counting units on the SHI is subject to DHCD regulations at 760 CMR 56.00, as well as DHCD Guidelines "Measuring Progress Towards Local Goals" available at <http://www.mass.gov/Ehed/docs/dhcd/legal/shi.doc> and "Affirmative Fair Housing Marketing Plan (Including Resident Selection)" available at <http://www.mass.gov/Ehed/docs/dhcd/legal/afhmp.doc> or <http://www.mass.gov/Ehed/docs/dhcd/hd/fair/afhmp.pdf>.

The SHI is used to measure the community's attainment of affordable housing goals for the purposes of M.G.L. Chapter 40B, the Comprehensive Permit Law. A developer may appeal to the state Housing Appeals Committee for review of local action on a Comprehensive Permit if less than 10% of the community's total year round housing stock is subsidized and restricted for low or moderate income households. The percentage of subsidized housing in a community is derived by dividing the number of qualifying SHI units in the community by its total number of year-round housing units as enumerated in the latest available U.S. Census, which is currently the 2010 U.S. Census. Pursuant to the regulations at 760 C.M.R. 56.03(2)(f), DHCD shall update the SHI biennially.

Enclosed for your review and use is DHCD's current SHI record for your community, which reflects our information as of August 31, 2011 regarding the number of all units which qualify for inclusion on the SHI. Please note the following:

- 1) Corrections to your inventory record should be made by simply writing directly on the enclosed draft and sending it to the address indicated below. To add units or to restore units, please see below.
- 2) Please request that eligible units be added to the inventory by submitting a completed copy of the "Requesting New Units Form" (available at <http://www.mass.gov/Ehed/docs/dhcd/hd/shi/rnuf.doc>) along with the documentation required by said form. To request the addition of new units and to track units for CDBG and HOME housing rehabilitation units only, please use DHCD's "Housing Rehab Units Only" spreadsheet (available at <http://www.mass.gov/Ehed/docs/dhcd/hd/shi/rehabunits.xls>). **Please note** that the "Housing Rehab Units Only" spreadsheet must be submitted along with copies of use restrictions corresponding to the affordable units. As you are aware, the Housing Appeals Committee ruled in *South Center Realty, LLC v. Bellingham* that affordable rehabilitated units must be subject to a use restriction to be included on the SHI. Please see the DHCD Guidelines for SHI use restriction requirements, including that the term of the use restriction shall be not less than 15 years for rehabilitated units (newly created units require a use restriction term of not less than 30 years).

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- 3) Pursuant to DHCD regulations at 760 CMR 56.03(2)(c), if more than one year elapses between the date of issuance of the Comprehensive Permit (or zoning approval under M.G.L. c.40A or completion of plan review under M.G.L. c.40R), and issuance of the **building permit(s)**, units are no longer eligible to be counted on the SHI until such time as the building permits are issued. Furthermore, said regulations state that if more than 18 months elapse between issuance of the building permits and issuance of the **certificate of occupancy**, the units will become ineligible for the SHI until the date that the certificate of occupancy is issued. DHCD has removed units from the SHI (providing a unit listing of "0") based on such time lapses. Therefore, please provide as applicable a listing of issued building and occupancy permit numbers and corresponding unit numbers and addresses to ensure or restore inclusion of units on the SHI. Please note that for SHI purposes, building permits are permits to construct units and foundation permits are *not* regarded as building permits.
- 4) Any developments for which the period of affordability **has expired or is listed as expiring in or before 2011** (see "Affordability Expires" column of the enclosed report) have been or are subject to removal from the SHI unless adequate documentation is submitted confirming that the period of affordability has not expired or has been extended. Generally, HOR units with expired affordability end dates have already been removed from the SHI as part of this biennial update.
- 5) DHCD counts group home units on the SHI based on information provided directly by the Department of Mental Health ("DMH") and the Department of Developmental Services ("DDS", formerly known as "Department of Mental Retardation" or "DMR"). The current group home counts by community generally reflect information provided to DHCD by DMH and DDS as of July/August 2011.
- 6) If you have no changes to the draft inventory, please confirm that your inventory is correct by writing "no changes" and returning the inventory page(s).

This correspondence is being mailed to the Mayor, Town Manager/Administrator, Zoning Board of Appeals, and Planning Director/Department in each community as applicable. We ask that the appropriate officials in each municipality review this information and provide a coordinated response either confirming the information contained in the report, submitting corrections, or requesting that DHCD newly add or restore units to the SHI. **Complete information and required documentation must be submitted to ensure units will be newly added or restored to the SHI.**

**We further request that you complete this review and return the enclosed draft inventory record with any applicable corrections, additions, and documentation by October 14, 2011 to DHCD Office of the Chief Counsel at 100 Cambridge St., Suite 300, Boston, MA 02114, Attention: Subsidized Housing Inventory.**

Please additionally note that Planned Production and DHCD's Local Initiative Program ("LIP") are powerful tools to assist communities in meeting their affordable housing goals in a manner consistent with local planning and development goals. The Planned Production Guidelines, available at <http://www.mass.gov/Ehed/docs/dhcd/cd/pp/hpgguidelines.doc>, clarify the requirements of the affordable housing plans and the steps to implement the plans under the regulations (see 760 CMR 56.03(4)). LIP provides communities a method for counting units on the SHI that are not otherwise subsidized in accordance with the regulations. LIP guidelines are available at <http://www.mass.gov/Ehed/docs/dhcd/legal/lipguidelines.doc>. LIP applications for comprehensive permit projects and for Local Action Units (LAUs) can be found at DHCD's website at <http://www.mass.gov/dhcd> (search under "Local Initiative Program").

Thank you for your anticipated cooperation. If you have any questions, please contact Margaux LeClair at (617) 573-1526.

# DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT CH40B SUBSIDIZED HOUSING INVENTORY

Hingham

DHCD ID #	Project Name	Address	Type	Total SHI Units	Affordability Expires	Built w/ Comp. Permit?	Subsidizing Agency
1362	n/a	Thaxter St.	Rental	58	Perp	No	DHCD
1363	n/a	30 Thaxter St.	Rental	26	Perp	Yes	DHCD
1364	n/a	100 Beal St.	Rental	14	Perp	Yes	DHCD
1365	n/a	30 Thaxter St.	Rental	8	Perp	Yes	DHCD
1366	Whiting Lane	204 Whiting Lane 246	Ownership	6	2042	Yes	DHCD
1367	Lincoln School	86 Central Street	Rental	60	2013*	Yes	MassHousing
4093	Brewer Meadows	196-200 Summer Street	Rental	21	Perp	Yes	FHLBB
4094	Lincoln Hill (C.K.S. Adams Court)	West Street	Ownership	4	Perp	Yes	FHLBB
4312	DDS Group Homes	Confidential	Rental	10	N/A	No	DMR
5711	Linden Pond	301-303 Linden Pond Way	CCRC	26 864	perp	Yes	FHLBB
7192	Central Street	266 Central Street	Ownership	1	2104	Yes	DHCD
7920	Ridgewood Crossing	French Street	Ownership	3	perp	NO	DHCD
9035	Avalon at Hingham Shipyard	349 Lincoln Street	Rental	91	Perp	NO	DHCD
<del>0007</del>	<del>Hingham-Square Townhomes</del>	<del>259 North St</del>	<del>Ownership</del>	<del>6</del>	<del>Perp</del>	<del>YES</del>	<del>MassHousing</del>

→ see attached letter from DHCD dated 10/2/08

3/31/2011

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT CH40B SUBSIDIZED HOUSING INVENTORY**

**Hingham**

DHCD

ID #

9132 Back River Condominiums

Project Name

Address  
24 Beal St

Total SHI  
Units

2

Type

Ownership

Affordability  
Expires

Perp

Built w/  
Comp.  
Permit?

NO

Subsidizing  
Agency

DHCD

**Hingham Totals**

429

Census 2010 Year Round Housing Units

8,941

Percent Subsidized

4.85%

*Derby Brook (see attached requesting new units form)*

