



Massachusetts Housing Finance Agency  
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October 3, 2013

VIA CERTIFIED MAIL

Milton Mews Venture, LLC  
c/o Mill Creek Residential  
15 New England Executive Office Park  
Burlington, MA 01803  
Attention: Robert D. Hewitt, Managing Partner

RE: **Milton Mews**  
**1259, 1375 and 1383 Brush Hill Road**  
**Milton, MA (#SA-13-001)**

**Project Eligibility (Site Approval) Application**

Dear Mr. Hewitt:

This letter is in response to your application for a determination of Project Eligibility (“Site Approval”) pursuant to Massachusetts General Laws Chapter 40B (“Chapter 40B”), 760 CMR 56.00 and the Comprehensive Permit Guidelines issued by the Department of Housing and Community Development (“DHCD”) (the “Guidelines”) (collectively, the “Comprehensive Permit Rules”), under the following program (the “Program”):

- New England Fund (“NEF”) Program of the Federal Home Loan Bank of Boston.

Milton Mews Venture, LLC (the “Applicant” or “Developer”) has filed a proposal with MassHousing pursuant to Chapter 40B. The proposal is to build 276 units of rental housing (the “Project”) on a 20.22-acre site located at 1259, 1357 and 1383 Brush Hill Road (the “Site”) located in Milton (the “Municipality”). An approximately 1.3-acre portion of the Site is located in Canton.

This letter is intended to be a written determination of Project Eligibility (“Site Approval”) in accordance with the Comprehensive Permit Rules, establishing fundability by a subsidizing agency under a low or moderate-income housing subsidy program pursuant to the Guidelines which may be found at [www.mass.gov/dhcd](http://www.mass.gov/dhcd) (see “DHCD Legal Resources”). To the extent that Project funding is provided by a non-governmental entity (NEF), this letter is also intended to be a determination of Project Eligibility (“Site Approval”) by MassHousing acting as Subsidizing Agency (formerly, “Project Administrator”) under the Guidelines, including Part V, thereof, “Guidelines for Housing Programs In Which Funding Is Provided By Other Than A State Agency.”

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MassHousing staff has performed an on-site inspection of the Site, which local boards and officials were invited to attend, and has reviewed the pertinent information for the Project submitted by the Applicant, the Municipality and others in accordance with the Comprehensive Permit Rules. As a result of our review, we have made the following findings as required pursuant to 760 CMR 56.04(1) and (4): (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) ("Final Approval"); (b) that the site of the proposed Project is generally appropriate for residential development taking into consideration the information provided by the Municipality regarding actions previously taken to meet affordable housing needs; (c) that the conceptual project design is generally appropriate for the site on which it is located; (d) that the proposed Project appears financially feasible within the housing market in which it will be situated based on comparable rentals; (e) that an initial pro forma, including a land value determination consistent with the Guidelines, has been reviewed, and the Project appears financially feasible and consistent with the Guidelines for cost examination and limitations on profits and distributions on the basis of estimated development costs, and the project is fundable under the Program; (f) that the Applicant would be eligible to apply as a Limited Dividend Organization in connection with an application for financing under the Program; and meets the general eligibility standards of the Program; and (g) that the Applicant controls the site. Each such finding, with supporting reasoning, is set forth in further detail on Attachment 1 hereto.

With respect to finding (c), above, MassHousing specifically notes that the Project (i) has been designed to mitigate the impacts of the massing, height and density of the proposed development by utilizing the natural topography of the Site, resulting in a development proposal that transitions well from the Site to the surrounding neighborhood and (ii) is similar in mass and scale to Fuller Village, a 319-unit, multi-family development located immediately across Brush Hill Road from the proposed development.

As noted, MassHousing staff has determined that the Project appears generally eligible under the requirements of the Program, subject to final review of eligibility and to final approval. In order to maintain eligibility under the Program the following requirements must be addressed as part of your Final Approval application submission:

1. Financing for the Project must originate from a subsidizing lender that is a member of the Federal Home Loan Bank of Boston (FHLBB); a minimum of 25% of the financing must be obtained from the NEF Program; the construction and permanent financing must be for a minimum term acceptable to the Subsidizing Agency; and other financing terms and conditions must be substantially similar to terms used by the Subsidizing Agency in its own lending programs or otherwise be commercially reasonable. Evidence of a firm commitment for financing for the Project must be provided during your request to MassHousing for Final Approval. The Regulatory Agreement shall provide that any transfer of all or a portion of the NEF lender's interest (including participations or sale of

servicing rights) during the entire term of the construction loan or, if applicable, the first 5 years of the permanent financing shall be subject to the approval of the Subsidizing Agency.

2. The Applicant must offer a minimum of 25% of the units for rental to households earning not more than 80% of the area median income (AMI), adjusted for household size, as published by the U.S. Department of Housing and Urban Development (HUD). The most recent HUD income limits for this area indicate that 80% of median income for a four-person household is \$67,350. The initial maximum housing cost (rent plus applicable utility allowances) for the affordable units must be set at levels affordable to households earning not more than 80% of area median income as determined by MassHousing based on the income limits published annually by HUD as adjusted for household size (based on 1.5 persons per bedroom).
3. The Applicant must enter into a regulatory agreement acceptable to MassHousing in the form for the applicable Program, ensuring compliance with the requirements of the Comprehensive Permit Rules and the Program. If the Project is funded through the NEF Program, MassHousing will serve as the Subsidizing Agency under the Regulatory Agreement. The legal description of the Site attached to the Regulatory Agreement must be recordable.
4. The Applicant must comply with the Land Value Policy described in Section IV (B) (1) of the Guidelines and, if applicable, MassHousing's Acquisition Value Policy. The maximum permissible acquisition value that can be included, for limited dividend purposes, in the Project Budget approved at Final Approval and at the time of Cost Examination/Cost Certification is the "As Is" value (determined by the MassHousing commissioned independent appraisal) of \$3,600,000 plus reasonable and verifiable carrying costs (where permitted by the Guidelines) from the February 22, 2013 date of your Site Approval application.
5. The Applicant must be a limited dividend organization and agree to limit the profit on, and the distributions from, the Project in accordance with the Comprehensive Permit Rules.
6. The Project should generally conform to the Commonwealth's Sustainable Development Principles embraced by DHCD.
7. The Applicant must demonstrate that the Project will comply with EPA's Energy Star guidelines or with similar standards acceptable to MassHousing. The Applicant must make an application and submit plans to the local Energy Star administrator, ICF in Lexington, Massachusetts.

8. Final plans for the Project must show the number and location of handicapped accessible rental units in compliance with all applicable state and federal regulations.
9. The affordable rent levels must comply with the then-applicable 80% of Area Median Income (AMI) rent standard as adjusted for the required utility allowances. If any utility allowances are proposed at the time of Final Approval, appropriate supporting documentation shall be provided by the Applicant.

### **Town Comments**

The following represents a summary of public comments submitted to MassHousing, and does not fully reflect the varied and extensive nature of feedback received. All feedback was reviewed and catalogued, however, Comprehensive Permit Rules limit MassHousing to the specific findings required in order to determine Project Eligibility. If, as here, MassHousing issues a determination of Project Eligibility then the Developer may apply to the Zoning Board of Appeals of the Municipality for a comprehensive permit. At that time local boards and officials are provided the opportunity to further review the Project to ensure compliance with all applicable state and local standards and regulations.

### Comments from the Town of Milton

The Municipality was given a thirty (30)-day period in which to review the proposed site approval application and submit comments to MassHousing. In response to a request from Senator Brian Joyce, this review period was extended to ninety (90) days. The Chairman of the Milton Board of Selectmen has provided a letter (received by MassHousing on June 10, 2013) summarizing input that the Selectmen received from municipal department heads, appointed and elected officials, and area residents, and urging MassHousing to deny the Developer's application for Site Approval. The letter identified the following broad areas of concern:

#### *Eligibility of Applicant*

Milton Selectmen questioned the Applicant's eligibility to apply for a determination of Site Approval. MassHousing has reviewed the application for compliance with the requirements of 760 CMR 56.04 (1) and 760 CMR (4) (f) and has determined that the material provided by the Developer in the application is sufficient to show compliance *subject to final review of eligibility at Final Approval.*

#### *Environmental Concerns*

The Selectmen's letter emphasized that the site of the proposed Project is located within the Fowl Meadow and Ponkapoag Bog Area of Critical Environmental Concern (ACEC), a designation made by the Massachusetts Executive Office of Environmental Affairs in 1992. Particular concern was expressed about the potential impact of the development on natural resources (both on and off-site), water quality, wetland areas and endangered species habitat. They questioned whether the site clearing necessary to build the Project would result in uncontrolled run-off onto abutting public and private properties. The

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letter also warned that such a development threatens the integrity of nearby historic and archeological resources, as well as the area's scenic and cultural value.

#### *Off-Site Traffic Impacts*

The Selectmen's letter stated that area roadways and intersections do not have the capacity to safely handle the additional traffic generation which the proposed Project is projected to generate. They noted, in particular, the already high volume of traffic on Brush Hill Road and congested conditions at its intersections with Route 138 (Blue Hill Avenue) to the south and with the Neponset Valley Parkway to the north. They expressed concern that increased traffic from the new development threatens both the safety and convenience of area residents. Officials commented on the lack of safe bike and pedestrian access to and from the Site, as well as the relatively great distance to public transportation, and noted that Project residents would be dependent on automobile use, further enhancing existing traffic problems.

#### *Site Design*

Town officials expressed concern with various aspects of the site plan. Of greatest concern was the length of the site drive and lack of secondary or emergency access. They also noted that the project design featured building heights and density levels significantly higher than those found at other properties on the west side of Brush Hill Road. They expressed concern that the proposed site grading would require significant amounts of cut and fill that would alter the natural drainage patterns, resulting in potential stormwater damage to abutting properties and degrading area wetlands.

#### *Public Safety Impacts*

The Milton Selectmen commented that the influx of new residents at the Project would place additional burdens on the Milton Police Department and the Milton Fire Department.

MassHousing carefully considered all Town concerns, and, to the extent appropriate within the context of the Site Approval process, has offered responses in the "recommendations section" starting on page 7 of this letter. It is anticipated that the Town, through the Comprehensive Permit process, will thoroughly review the Project proposal and identify all conditions necessary to ensure consistency with local needs as defined in M.G.L. Chapter 40B, Section 20.

#### Comments from the Town of Canton

There is currently no construction planned for the Canton portion of the Site. The Town of Canton was, however, given a thirty (30) day period in which to review the application and submit comments to MassHousing because approximately 1.3 acres of the southwestern portion of the Site is located within the Town of Canton. In response, the Canton Board of Selectmen and Planning Board reviewed the proposed plans and submitted comments to MassHousing. Feedback from the Town of Canton mirrored closely the comments from Milton, emphasizing

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concern about the Project's impacts on area traffic, environmental impacts, potential threats to historical and archeological resources, and lack of adequate emergency access.

Canton Selectmen expressed particular concern about traffic impacts from the Project not just on Brush Hill Road but throughout the area and especially on Route 138. They noted that the site plan shows only a single means of ingress and egress and does not comply with emergency access requirements. The Canton Planning Board letter noted the presence of wetlands in the Canton portion of the Site, and recommended that the Developer file with the Canton Conservation Commission to determine conformance with state and local wetland statutes. Planning Board comments also expressed concern about the impact of the Project on the scenic nature of Hemenway Drive (which extends into Canton) and conveyed community opposition to the use of Hemenway Drive for emergency or secondary access to the Site.

### **Community Comments**

In addition to the comments from Town Officials, MassHousing received feedback from representatives of a variety of community organizations, along with a limited number of individual area residents. Of particular note was a petition in opposition to the Project, submitted by the Friends of the Neponset River and including 1,328 signatures collected both in person and on-line. A complete list of all public comments received by MassHousing is attached as an appendix to this letter.

Community input regarding the Project echoed concerns set forth by Town officials, focusing on environmental impacts, increased traffic congestion, and erosion of community character. A common theme was a deep appreciation for past conservation efforts in this area, including the creation of the Blue Hills Reservation and the ACEC designation, and a strong desire to continue to protect and preserve the area's natural and cultural resources. Community input also expressed concern about the proposed site design, particularly the proposed density and lack of a secondary or emergency access.

MassHousing staff met with Hemenway Drive residents concerned with the impact of the Project on endangered species, archeological and historical resources. A Hemenway Drive Resident also prepared and submitted a paper outlining concerns with the Developer's business practices and ethical standards.

MassHousing was contacted by Senator Brian Joyce, who reiterated constituent concerns about the potential negative impacts of the Project on area wetlands and natural resources. Senator Joyce pointed out the lack of convenient access to public transportation from this site, and expressed concern about increased traffic and the resulting impacts on vehicular and pedestrian safety. MassHousing staff also met with Senator Joyce and area residents (including representatives from Fuller Village) during the public comment period to hear the concerns and further clarify the Site Approval process.

### **Recommendations**

Based on MassHousing's site and design review, and in light of the feedback received from the communities, the following issues should be addressed in your application to the Zoning Board of Appeals ("ZBA") for a comprehensive permit and fully explored in the public hearing process prior to submission of your application for Final Approval:

1. Development of this site will require resolution of all environmental conditions per laws, regulations and standards applicable to existing conditions and to the proposed use, including but not limited to compliance with all applicable regulatory restrictions relating to floodplain management, the protection of wetlands (WPA), river and wildlife habitats/conservation areas as well as local and state environmental protection requirements relating to the protection of the public water supply, storm water runoff, wastewater treatment, and hazardous waste safety. The Applicant should provide evidence of such compliance prior to the issuance of a building permit for the project.
2. Plans for the Project must comply with all conditions contained in any Order of Conditions issued by the Conservation Commission or the Department of Environmental Protection in connection with the Project.
3. The Applicant should provide a detailed traffic study assessing potential impacts of the Project on area roadways, including traffic volumes, crash rates, and the safety and level of service (LOS) of area intersections, and identifying appropriate traffic mitigation in compliance with all applicable state and local requirements governing site design. The Applicant should be prepared to verify the adequacy of sight distances at the proposed intersection of the site drive with Brush Hill Avenue.
4. Area residents and public safety officials expressed concern about the lack of sufficient secondary and/or emergency access in and out of the Site. The Applicant should be prepared to describe emergency access provisions in response to the concerns raised by public safety officials.
5. The traffic study or other professional peer review process should address proposed on-site circulation and parking to ensure compliance with public safety standards and good design practice relative to drive-aisle widths, turning radii and sight distances along the site drive and the parking areas through which it passes. The Applicant should be prepared to address concerns about provisions for safe pedestrian access and pedestrian/vehicular separation within the Site; sufficiency of resident and guest parking, and plans for snow storage.
6. The Applicant should be prepared to clarify their legal rights in and obligations relative to Hemenway Drive and Avenue A.

7. The Applicant should be prepared to respond to questions about the provision of alternate modes of transportation to and from the Site and safe bike/pedestrian access on Brush Hill Road.
8. A geotechnical study for the proposed development, prepared by Lahlaf Geotechnical Consulting, Inc. and dated November 30, 2012, provides a preliminary review of site grading and foundation design, as well as specific construction recommendations. The applicant should be prepared to discuss these preliminary findings during the public hearing.
9. Town officials have requested a Stormwater Management Plan that complies with DEP's Stormwater Management Policy in order to ensure that site grading and drainage does not negatively impact existing wetland and river habitats or abutting properties. This plan should identify erosion control and stormwater management measures to be implemented both during and after construction. The Applicant should be prepared to provide a comprehensive stormwater analysis showing no net increased run-off.
10. The Applicant should be prepared to confirm adequacy of and/or access to all proposed utilities including water, sewer, gas, and electricity.
11. The Site abuts Brush Hill Road along its western boundary and the units located closest to the roadway will be subject to noise from passing vehicular traffic. Building and site design should address noise exposure and noise attenuation measures.
12. A landscape plan should be provided, including a detailed planting plan showing provisions for screening, as well as paving and signage details, and the location of outdoor dumpsters or other waste receptacles. The landscape plan should include provisions for long-term landscape maintenance, particularly for plantings used for screening purposes.
13. The applicant should be encouraged to include "green" or landscaped islands in the parking areas adjacent to the larger buildings.
14. Proposed site lighting should be reviewed in order to ensure minimal impacts on abutting properties. In particular, site lighting should be designed to have minimal "night sky" impacts on nearby protected conservation areas.
15. Additional details should be provided to the Municipality about any proposed site amenities including shared community rooms, outdoor playground and seating areas, and specific information about proposed pedestrian connections to existing trail networks in nearby conservation areas.



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16. Any local preference plan required by the town must conform to federal fair housing law as determined by the U.S. Department of Housing and Urban Development.

This Site Approval is expressly limited to the development of no more than 276 rental units, including 69 affordable units, under the NEF Program, subject to the respective minimum affordability requirements (including percentage of units for low- or moderate-income households, income eligibility standards and duration of restrictions requiring low- or moderate-income housing) and the Developer's limited dividend status requirement, all as set forth in the Comprehensive Permit Rules for financing under the NEF Program. It is not a commitment or a guarantee of MassHousing or NEF financing or state subsidies and does not constitute a site plan or building design approval. Should you consider, prior to obtaining a comprehensive permit, the use of any other housing subsidy programs, the construction of additional units or a reduction in the size of the Site, you will be required to submit a new site approval application for review by MassHousing. Should you consider a change in tenure type (rental/homeownership) or a change in building type or height, you may be required to submit a new or updated site approval application for review by MassHousing.

For guidance on the comprehensive permit review process for NEF applications, you are advised to consult the Guidelines. Further, we urge you to review carefully with legal counsel the M.G.L. c.40B Comprehensive Permit Regulations, 760 CMR 56.00.

This approval will be effective for a period of two years from the date of this letter. Should the Applicant not apply for a comprehensive permit within this period or should MassHousing not extend the effective period of this letter in writing, this letter shall be considered to have expired and no longer be in effect. In addition, the Applicant is required to notify MassHousing at the following times throughout this two year period: (1) when the Applicant applies to the local ZBA for a comprehensive permit, (2) when the ZBA issues a decision, and (3) if applicable, when any appeals are filed.

Should a comprehensive permit be issued, please note that prior to (i) commencement of construction of the Project or (ii) issuance of a building permit, the Applicant is required to submit to MassHousing a request for Final Approval of the Project (as it may have been amended) in accordance with the Comprehensive Permit Rules (see especially 760 CMR 56.04(07) and the Guidelines including, without limitation, Part III thereof concerning Affirmative Fair Housing Marketing and Resident Selection). Final Approval will not be issued unless MassHousing is able to make the same findings at the time of issuing Final Approval as required at Site Approval.

**Further Opportunities for Assistance from MassHousing: Please note that MassHousing may not issue Final Approval if the comprehensive permit contains any conditions that are inconsistent with the regulatory requirements of the applicable housing subsidy program (The New England Fund of the FHLBB, for which MassHousing serves as Subsidizing**

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**Agency), as reflected in the applicable regulatory documents. Without limitation, we note that if the comprehensive permit will contain any local preference condition, the Guidelines require that the community demonstrate that a local preference is needed and can be implemented in a way that will not have a disparate impact on protected classes. In the interest of providing for an efficient review process and in order to avoid the potential lapse of certain appeal rights, the Applicant may wish to submit a “final draft” of the comprehensive permit to MassHousing for review. Applicants who avail themselves of this opportunity may avoid significant procedural delays that can result from the need to seek modification of the comprehensive permit after its initial issuance.**

If you have any questions concerning this letter, please contact Greg Watson, Manager, Comprehensive Permit Programs at 617-854-1880.

Sincerely,



Thomas R. Gleason  
Executive Director

cc: The Honorable Brian A. Joyce, State Senator, Norfolk, Bristol and Plymouth District  
The Honorable Water F. Timilty, State Representative, 7<sup>th</sup> Norfolk District  
Mr. Aaron Gornstein, Undersecretary, DHCD  
Mr. Dennis F. Keohane, Chairman, Milton Board of Selectmen  
Ms. Annemarie Fagan, Milton Town Administrator  
Mr. William Clark, Milton Planning Director  
Mr. Gerald A. Salvatore, Chairman, Canton Board of Selectmen  
Mr. William F. Friel, Canton Town Administrator  
Mr. Jeremy Comeau, Chairman, Canton Planning Board

**Attachment 1**

760 CMR 56.04      Project Eligibility: Other Responsibilities of Subsidizing Agency  
Section (4) Findings and Determinations

**Milton Mews, Milton MA (#SA-13-001)**

After the close of a 30-day review period and extension, MassHousing hereby makes the following findings, based upon its review of the application, and taking into account information received during the site visit and from written comments:

- (a) MassHousing finds 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);***

The Project is eligible under the NEF housing subsidy program, and at least 25% of units will be available to households earning at or below 80% of the Area Median Income. Rent levels for the 69 affordable units have been appropriately calculated based on 30% of 80% of Area Median Income for the Boston-Cambridge-Quincy HMFA, less a utility allowance of \$109, \$128 and \$155 for the one, two and three bedroom units respectively. A letter of interest was provided by Cambridge Savings Bank, a member bank of the Federal Home Loan Bank of Boston.

- (b) MassHousing finds that the site of the proposed Project is generally appropriate for residential development, taking into consideration information provided by the municipality or other parties regarding municipal actions previously taken to meet affordable housing needs, such as inclusionary zoning, multifamily districts adopted under c.40A, and overlay districts adopted under c.40R;***

Milton does not have a DHCD certified Housing Production Plan. According to DHCD's Chapter 40B Subsidized Housing Inventory (SHI) updated through April 13, 2013, Milton has 9,641 year-round housing units, of which 426 (4.4%) qualify as subsidized for low or moderate income-households. If this project were to be approved, the number of units eligible for inclusion on the SHI would increase by 276 to 702, representing 7.3% of Milton's housing stock.

The site of the proposed Project appears to be highly suitable for residential development. Currently, by-right zoning of the subject property (with the exclusion of the 1.3-acres in Canton) is limited to large lot (80,000 square foot) single-family residential development. The success of the recently developed Fuller Village, however, provides clear evidence that

higher density multi-family development can be successfully developed at this location.

MassHousing's Appraisal and Marketing Division have identified a strong demand for rental housing in this area. Comparable rental properties in Dedham, Braintree, Quincy, Canton and Sharon report average occupancy levels of close to 95% with no rent concessions. The need for additional *affordable* rental housing can also be clearly demonstrated. The Milton Housing Authority currently administers sixty-six (66) public housing units including thirty-nine (39) one-bedroom units for the elderly and disabled, and twelve (12) family units. There is currently a waiting list of 570 for the elderly/disabled units and a list of of twenty-five (25) for the family units.

*(c) MassHousing finds 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;*

**1. Relationship To Adjacent Building Typology** (Including building massing, site arrangement, and architectural details):

The Site is located in the southwest portion of the Town of Milton, close to the Canton Town Line, on the westerly side of Brush Hill Road. The development pattern of the surrounding area is notably mixed. In general, the southern side of Brush Hill Road is characterized by single family homes on large lots and sizable tracts of conservation land. In contrast, on the northern side of Brush Hill Road immediately across from the Site are Fuller Village, a 319-unit multi-story independent living facility and Milton Healthcare, a 160-bed skilled nursing and and rehabilitation facility.

The proposed Milton Mews development includes a mix of townhouses and low-rise apartment buildings and incorporates aspects from the range of surrounding residential development types. The Project consists of a mix of one, two and three-bedroom apartments in three, 3-5 story apartment buildings, and 42 townhouse units in nine, two-story buildings. The community will also include a clubhouse building and swimming pool, along with five, one-story garage structures providing indoor parking for 92 cars. The Project has been designed to be compatible with the surrounding neighborhood, particularly as seen from Brush Hill Road.

- The Site Plan places ten (10) residentially-scaled, 3-story townhouses and a single-story clubhouse closest to Brush Hill Road to minimize the visual impact of the development on neighboring properties and from the primary right-of-way.

- The average height (at the eaves) of the townhouses fronting on Brush Hill Road will be 24' above the finished grade, with a maximum height of 40' at the top of the roof, similar to the height of many of the nearby single-family homes.
- Building facades feature articulated walls with balconies, and changes in plane in both large and small building types, which serves to mitigate the effect of the building massing.
- Architectural features used on the townhouses and apartment buildings include traditional building elements found throughout Milton such as dormers, porches and gable roofs.

## **2. Relationship To Adjacent Streets**

- The Site fronts on Brush Hill Avenue, and is bounded to the south by a private roadway (Avenue A). Another private roadway, Hemenway Drive, extends along the northern side of the property and continues into neighboring Canton. Both of these private drives will be maintained in their current condition and their use will remain limited to providing access to abutting residential properties.
- As noted, the Site is laid out with lower-scale structures (compatible with nearby single-family residential development) fronting on Brush Hill Road, serving to protect the residential character of the neighborhood. The closest taller (3/4 and 4/5 story) buildings are more than 450' back from Brush Hill Road, separated from the road by a large vegetated wetland area.
- Views into the property from the private roadways and to the abutting residences to the north and south are also screened by lower-scale structures. A low row of one-story garages separates Building B from Hemenway Drive, and lower-scale townhouses block views into the Site from Avenue A.
- Project plans indicate that the low stone wall that runs along both sides of this portion of Brush Hill Road will be largely maintained in its current condition, which will do much to preserve the character of the streetscape in this area.

## **3. Density**

- Average proposed project density is 13.8 units per acres of total site area and 16.6 units per acre of buildable site area, which is at the lower range of that typically seen in similar developments.

- The Site Plan benefits from the presence of two large wetland areas, which serve to break the Site up into three distinct “villages” separated by large wetland areas.

#### **4. Site Plan**

- The 20-acre Site is a long (approximately 11,000’) rectangular lot extending southwesterly from Brush Hill Road towards Canton. The site plan has been developed around existing wetland areas, to create three distinct development areas connected by a winding, 24’ site drive.
- The area near the entrance to the Site that will be visible from Brush Hill Road is developed at a fairly low density, with a one-story clubhouse facility and ten residential scale townhouses (one cluster of six, and another cluster of four).
- The central and largest upland area, located more than 450’ back from Brush Hill Road, includes two larger multi-family buildings (72 and 59 units respectively), 28 townhouse units, and associated surface parking areas, along with two “carriage house” style garages structures
- The upland area at the western end of the Site, furthest from Brush Hill Road, features a single, “L” shaped, 104-unit apartment building, wrapped to the north and east with a double row of surface parking.
- With the exception of the small parking area serving the clubhouse, surface parking areas are located in the interior of the Site to the fullest extent possible, and will not be visible from Brush Hill Road.
- The three multi-family structures (A, B and C) have landscaped strips and sidewalks around their perimeter. Provisions should be made to accommodate pedestrian safety throughout the Site, and to prevent potential conflicts with cars pulling in and out of parking spaces on the portions of the site drive that pass directly in front of and between buildings.

#### **5. Environmental Resources**

- The Site is located within the northeastern corner of the Fowl Meadow and Ponkapoag Bog Area of Critical Environmental Concern (ACEC), so the the proposed Project will be subject to MEPA review.

- Site wetlands have been delineated on the site plan in accordance with state and local (Milton and Canton) wetland regulations, along with the U.S. Clean Water Act. As designed, the Project will require some construction in the 100' buffer zone, and a wetland crossing will be required for the site driveway to reach the rear (western) portion of the Site.
- The proposed site design responds to and generally limits impacts on environmental resources on and near the Site, which include four discrete wetland areas, intermittent streams and a small area of mapped Priority Habitat. With the exception of an identified wetland crossing, disturbance within the 25' buffer established by local regulation is not proposed.
- FEMA maps indicate that the Site is located entirely out of the Floodplain.
- The proposed development is in close proximity to the Fowl Meadow, Neponset River Reservation and the Blue Hills Reservation. Residents will have access to the existing walking trails on the adjacent conservation areas for recreational use.
- The proposed development will be built to comply with the MA Stretch Energy Code, as adopted by the Town of Milton, and will meet Energy Star Guidelines.

## **6. Topography**

- The site plan takes advantage of existing topography, which slopes approximately 20' from the northern side of the Site at Hemenway Drive to its southern edge, and more than 100' from Brush Hill Road to the Site's western end in Canton.
- Buildings of a lower scale are located on areas of higher elevation along Brush Hill Road and along the Site's southerly border, with taller buildings sited on lower areas of the Site sloping from abutting properties.
- Because larger buildings are built into the existing slope the rooftop elevation of the townhouses and larger buildings are the same, minimizing visual impact on adjacent properties.

## **7. Proposed Use:**

- Based on MassHousing staff's site inspection, internal discussions, and a thorough review of the application, MassHousing finds that the Site is suitable for

residential use and development and that such use would be compatible with surrounding single and multi-family residential uses.

- Existing utilities are available for connection to the Site including municipal water, sanitary sewer, electric, telephone and cable service. Adequacy of existing utilities for the proposed residential use should be confirmed during the Comprehensive Permit process. There is currently no direct natural gas connection to the Site; an extension of the gas main that exists to the south of the Site towards Route 138 is proposed.
- The Site is located just over one mile from the Readville MBTA commuter rail station in Hyde Park, which provides service to Boston. The Providence/Stoughton Line can also be accessed at the Hyde Park MBTA Station located 2.2 miles away. The Site's location also is convenient to multiple places of employment including several larger corporate offices, and has easy access to I-95, I-93, Route 138 and Route 24. Finally, it is in relatively close proximity to schools, churches, parks and shopping areas although, in general, private vehicles would be considered to be a necessity at this location for most households.
- The Site offers residents excellent access to the Blue Hills and other nearby conservation land.

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

The Milton Mews project will include 207 market-rate units with proposed rents of \$2,129 for the one-bedroom units, \$2,507 for two-bedroom units and \$3,091 for the three-bedroom units. A preliminary market analysis conducted by MassHousing staff shows that proposed rent levels for all unit types, when taken on average, slightly exceed the average adjusted rents indicated by comparables based on the unit type (number of bedrooms). The proposed rent for the one-bedroom units is within the upper range but is within the range indicated. The proposed rent for the two and three-bedroom units is above the range indicated for the flat-style units, but is within the range for the townhouse-style units which typically command a higher rent. On average, therefore, rents fall within the adjusted average range. Further, given the Town of Milton's good highway access and proximity to employment and retail centers, newly constructed apartments at this location should achieve rent levels at the mid-to upper points of the range for each unit style.

***(e) MassHousing finds 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;***

MassHousing has commissioned an “As-Is” appraisal which indicates a land valuation of \$3,600,000. MassHousing’s Appraisal and Marketing staff have determined that the appraisal was performed in accordance with agency guidelines, and concur with this valuation. Based on a proposed equity investment of \$20,108,813, the application pro forma appears to be financially feasible and within the limitations on profits and distributions.

- (f) MassHousing finds 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***

The Applicant must be organized as a Limited Dividend Organization prior to applying for Final Approval. MassHousing sees no reason this requirement could not be met given information reviewed to date. The Applicant meets the general eligibility standards of the NEF housing subsidy program.

- (g) MassHousing finds 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.***

The Site consists of three adjacent properties:

1375 Brush Hill Road (Assessor’s Map 18, Lot 44)

The Applicant controls this portion of the Site under a Purchase Agreement.

1383 Brush Hill Road (Assessor’s Map 18, Lot 43)

The Applicant controls this portion of the Site under a Purchase Agreement.

1259 Brush Hill Road (Assessor’s Map 18, Lot 42)

The Applicant controls this portion of the Site under a Purchase Agreement.

The Applicant has submitted a Certification of Ownership from Robert D. Hewitt, indicating the name of the Applicant to be Milton Mews Venture, LLC with the Principals and Controlling Entities of the Applicant and its managing entities to be MCRT Northeast and Mill Creek Residential Trust LLC, and the name of the proposed ownership entity to be Milton Mews Venture, LLC.

Milton Mews Venture, LLC  
Re: **Milton Mews**  
MassHousing #SA-13-001  
Project Eligibility (Site Approval) Application  
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bcc: Eric Gedstad  
Nancy McDonald  
Gina Dailey  
Bob Pyne  
Cathi Corbett, A&M Officer  
Ray Johnson, D&T