

# CRANBERRY KNOLL CORPORATION

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November 17, 2004

Mr. Stephen Mattern, Chairman  
Plympton Zoning Board of Appeals  
C/o Town Clerk  
Plympton, MA

RE: Cranberry Knoll Corporation  
Proposed Chapter 40B Project  
Jurisdictional Requirements

Dear Mr. Mattern:

This letter addresses the manner in which the Applicant has met the jurisdictional requirements prerequisite to applying for a Comprehensive Permit under M.G.L. c.40B, §§20-23, also known as the "Anti-Snob Zoning Act", and the regulations issued thereunder.

## Limited Dividend Organization

Cranberry Knoll Corporation has been created in accordance with the laws of Massachusetts for the express purpose of developing affordable housing as a limited dividend organization. It is eligible to receive a subsidy from a state or federal agency after a Comprehensive Permit has been issued. It has and will agree to limit the dividend on its investment in the project to no more than the maximum allowed by the applicable statute or regulations governing the pertinent subsidy program. To assure the foregoing limitation the Corporation will enter into a Regulatory Agreement by and between MassHousing, the Town of Plympton, and Citizens Housing and Planning Association. Articles of Organization are submitted herewith.

## Project Eligibility (Site Approval)

A Project Eligibility (Site Approval) Determination has been obtained for the site from MassHousing. (See Tab 3). A copy of that determination is included with this Application. Appropriate notices have been provided to the Board of Selectmen and the Department of Housing and Community Development. It is the Applicant's present intent

to obtain financing under the New England Fund Program of the Home Loan Bank of Boston, or alternatively, under the Housing Starts Program of MassHousing.

#### Site Control

We have included with this Application as evidence of site control a Deed to Springer Construction Corp., dated July, 2003, a Purchase and Sale Agreement between the Applicant and Springer Construction Corp., and a grant of a well protection easement from an abutter. (See Tab 5).

#### Request for Findings As to Statutory Minima

The Applicant requests that the Board find, based on the evidence submitted, that the Town of Plympton does not meet any of the statutory minima in accordance with 760 CMR 31.04 for exemption from G.L. c.40B.

- The percentage of Plympton's total affordable housing units does not exceed 10% of it housing inventoried by the Department of Housing and Community Development and is \_\_\_\_%.
- Low and/or moderate income housing does not exist on sites comprising more than 1.5% of the total land in Plympton zoned for residential, commercial or industrial use.
- Approval of the present Application would not result in the commencement in any one calendar year of construction of low and moderate income housing on sites comprising more than .03% of the Town's land area.

#### Request for Findings As to Jurisdictional Requirements

The Applicant requests that, based on the evidence submitted, the Board find that the Applicant has met the jurisdictional requirements of 760 CMR 31.01, specifically that

- the Applicant is a limited dividend organization; and
- the proposed project is fundable by a subsidizing agency under a low and moderate income housing subsidy program; and
- the Applicant is in control of the project site.

The Applicant further requests that the Zoning Board of Appeals, after complying with the procedural requirements as provided by law and regulation, issue to the Applicant a

Comprehensive Permit for the propose development.

Sincerely,

Richard Springer  
President