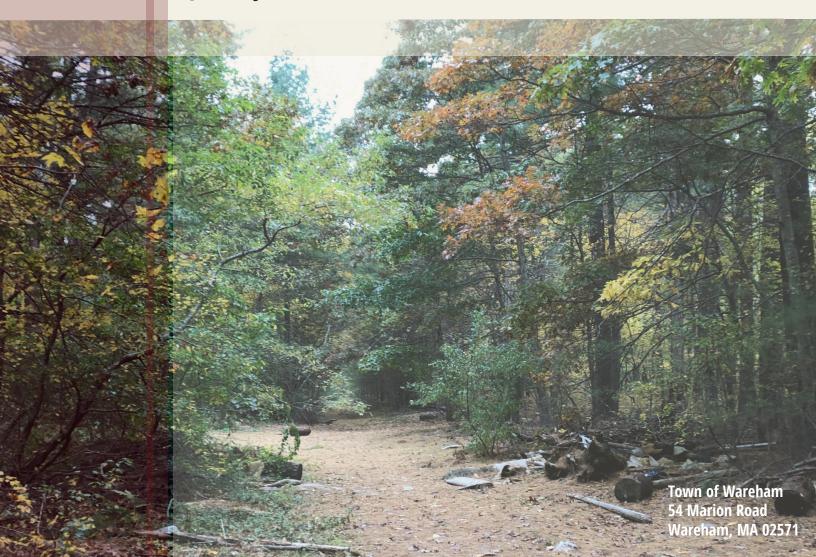


# REQUEST FOR PROPOSALS FOR SELECTION OF DEVELOPER

LITTLETON DRIVE PROPERTY

# **Wareham Redevelopment Authority**

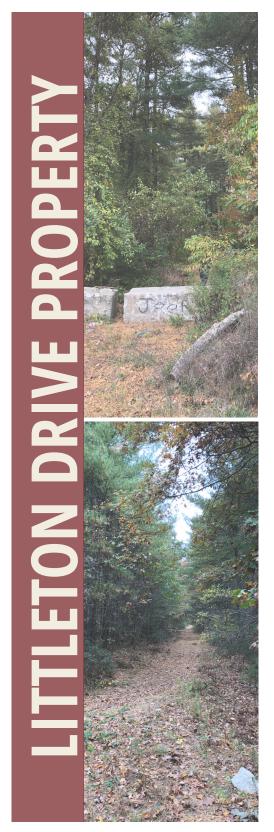
**January 15, 2020** 



# **Table of Contents**

| REQUEST FOR PROPOSALS (RFP)  | 3  |
|------------------------------|----|
| COMMUNITY CHARACTERISTICS    | 4  |
| WRA'S DEVELOPMENT OBJECTIVES | 5  |
| THE DEVELOPMENT SITE         | 6  |
| ZONING                       | 8  |
| SELECTION PROCESS            | 9  |
| SUBMISSION REQUIREMENTS      | 9  |
| APPENDICES                   | 16 |

The WRA makes no representations or warranties, express or implied, as to the accuracy and/or completeness of the information provided in this RFP. This RFP, including all attachments and supplements is made subject to errors, additions, omissions, withdrawal without prior notice, and different interpretations of laws and regulation. The proposer assumes all risk in connection with the use of the information, and releases the WRA from any liability in connection with the use of the information provided by the WRA. Further, the WRA makes no representation or warranty with respect to the Property, including without limitation, the value, quality or character of the Property or its fitness or suitability for any particular use and/or the physical and environmental condition of the Property. The Property will be leased in "AS-IS" condition.



# **Request for Proposals**

The Wareham Redevelopment Authority (WRA) is seeking proposals for the development of affordable or mixed-income housing on the WRA-owned +/-16-acre property located at 4 Littleton Drive. The Town of Wareham, Massachusetts is located in southeastern Massachusetts near the southern end of the Cape Cod Canal. Wareham is known as "The Gateway to Cape Cod" and is situated at the head of Buzzards Bay. The community offers an exceptional location within easy traveling distance to Boston and Providence. With 86 miles of saltwater shoreline, enhanced by beaches, estuaries, rivers, and ponds, Wareham enjoys a strong tourist industry throughout the summer months.<sup>1</sup>

The property at 4 Littleton Drive (subject property) encompasses close to 16 acres of undeveloped, forested property about one mile northwest of Swifts Neck Beach, a popular neighborhood beach on the Wareham River near its mouth at Buzzards Bay.<sup>2</sup> The subject property provides the opportunity for residential, mixed-income development and possibly mixed-use. The redevelopment of this property presents the opportunity to provide housing options, including affordable housing, to help meet the town's documented need.

The WRA will select a developer with demonstrated experience and capacity to develop mixed-income housing at the subject property that best addresses the needs and goals of the WRA. An approved Redevelopment Plan is not in place, so this procurement process is subject to MGL c.30B. Details requiring developer qualifications, the property, selection process, and evaluation criteria are incorporated in this RFP, which was prepared with collaboration and assistance from MassHousing.

Specifically, the WRA's objectives are for the development of affordable, mixed-income, or age-restricted (senior) housing on the subject property. At least 20 percent of the housing units shall be eligible for inclusion in the state's Subsidized Housing Inventory. The WRA intends to enter into a Land Disposition Agreement with the selected developer and convey the property with a long-term ground lease (99-year) to the developer, with deed restrictions, whereby the Developer shall be responsible for construction, development, and management. It is anticipated that the Developer may file for zoning relief through a Chapter 40B comprehensive permit, likely through the Local Initiative Program ("friendly" 40B), or request a zoning amendment, such as adoption of a MGL c. 40R Starter Home Zoning Overlay District.

The WRA will select a Developer with demonstrated experience and capacity to develop affordable or mixed-income housing that best addresses the needs and goals of the WRA.

To respond to this RFP, submit five (5) bound hard copies and a USB flash drive with files in PDF format on or before 12:00pm on March 9, 2020 to:

Kenneth Buckland
Director of Planning and Community Development
Town of Wareham
54 Marion Road
Wareham, MA 02571

<sup>&</sup>lt;sup>1</sup> Town of Wareham: Open Space and Recreation Plan, 2017-2024, page 5, https://www.wareham.ma.us/sites/warehamma/files/uploads/osrp\_2017\_final.pdf, accessed 11/2/19.

<sup>&</sup>lt;sup>2</sup> Buzzards Bay Coalition: Swifts Neck Beach, https://www.savebuzzardsbay.org/places-to-go/swifts-neck-beach/, accessed 11/2/19.

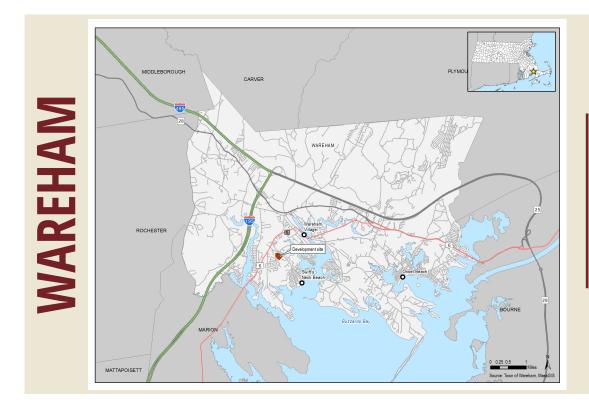
At which time and place the responses will be opened and recorded. Responses submitted after this time will not be accepted.

Responses shall be marked "Littleton Property Development Proposals" and must include all required documents. Faxed or electronically mailed (e-mailed) proposals will be deemed non-responsive and will not be accepted.

Responses to this RFP must include all required documents, completed and signed as required. The WRA reserves the right to reject any or all responses or to cancel this RFP if it is in the WRA's best interests.

# **Important Dates**

- RFP available January 15, 2020
- Pre-submission meeting February 10, 2020
- RFP Questions due February 24, 2020
- Responses to RFP due March 9, 2020 by 12:00pm



Wareham is an attractive and growing coastal community with favorable property tax rates compared to surrounding communities and the Southcoast region overall.

# **Community Characteristics**

Wareham is located in southeastern Massachusetts in Plymouth County at the head of Buzzards Bay, near the southern end of the Cape Cod Canal. It is bordered by the Town of Rochester to the west, the Town of Middleborough to the northwest, the towns of Carver and Plymouth to the north, the Town of Marion to the south, and the Town of Bourne, which is in Barnstable County, to the east. Wareham is about 17 miles northeast of New Bedford, 16 miles south of Plymouth, 50 miles south of Boston, 35 miles west of Hyannis, and 45 miles east of Providence, Rhode Island. Several major roads and highways pass through Wareham, including Interstate Highways 195 and 495, State Route 25, State Route 28, and U.S. Route 6. This road network is an important regional corridor that connects Wareham to Cape Cod, Boston, New Bedford, and other communities.<sup>3</sup>

Wareham is an attractive and growing coastal community with favorable property tax rates compared to surrounding communities and the Southcoast region overall. There are an estimated 22,535 residents and 8,585 households in the Town of Wareham per the 2017 American Community Survey 5-year estimates. Population projections from the UMass Donahue Institute indicate the population will continue to grow over the next 15 years. The Median Family Income for Wareham, which is in the Boston-Cambridge-Quincy, MA-NH HUD Metro FMR Area, is \$113,300.

Town of Wareham: Open Space and Recreation Plan 2017-2024, page 5, https://www.wareham.ma.us/sites/warehamma/files/uploads/osrp\_2017\_final.pdf, accessed 11/2/19.

Wareham's market segments, per ESRI's Tapestry LifeMode Groups, consist of roughly:

- 36 percent of "Parks and Rec" practical suburbanites, mostly college-educated with a median age of 41, who are mostly home owners living in single-family residences,
- 22 percent "Midlife constants" seniors that have retired or are close to retirement and have high net worths with a country lifestyle
- 16 percent "The Great Outdoors" mostly educated empty-nesters are living an active, but modest lifestyle and have incomes above the US average

The median sales price for a condominium in Wareham in 2019 (Jan-Oct) was \$285,000, an increase of close to 11 percent from 2018, and median sales price for a single-family was \$272,000.4 Wareham has had 42 condominium sales and 357 single-family sales in 2019 (Jan-Oct).5

Rental housing is increasingly considered an important asset to economic development. The expected demand for housing dramatically exceeds the current supply, which has grown very modestly over the past ten years. In the past year, the Rosebrook Apartments, a complex of one- and two-bedroom rental units, opened with pricing from \$1,695 to \$2,400 a month.<sup>6</sup> Sales of two-bedroom single-family homes in October 2019 ranged from \$133,000 to \$390,000 (\$175 to \$556 per sq. ft.).<sup>7</sup> The demand analysis in the Town's Economic Development Strategy indicates that there is at least hypothetical market support for units priced higher than the average listings, based on the incomes of householders likely to move into rental housing over the next five years.<sup>8</sup>

# **WRA's Development Objectives**

The WRA's objectives for the subject property are for affordable or mixed-use residential development of either rental or condominium units or mixed-use. The subject property is an important site with potential for housing development to help support the housing needs of the town. The WRA is open to considering a variety of housing types, including senior housing and rental or ownership units. The WRA is also open to a variety of design characteristics, with a preference for structures no more than 35 feet high. Contact information for relevant Town offices is provided below.

- Inspectional Services phone: (508) 291-3100 ext. 3190, email: inspections@wareham.ma.us
- Conservation Office phone: (508) 291-3100 ext. 6505
- Wareham Fire/Water District phone: (508) 295-0450
- Water Pollution Control Facility [sewer] phone: (508) 295-6144

Overall, the WRA's objectives are to select a proposal that provides the most feasible, attractive, and contextually-sensitive development options for the site that maximize affordability.

The Town, which acquired this site in 1981 through tax foreclosure and transferred ownership to the WRA in 2019, has identified this site for housing development. The WRA is open to considering a variety of regulatory approaches including zoning amendments, such as a 40R Starter Home district, or a development that would require a Comprehensive Permit per MGL c.40B.

The WRA anticipates conveying the property to the selected developer through a long-term ground lease (99-year). The WRA is offering the Property for lease at a nominal cost with the goal of creating a financially feasible affordable or mixed-income housing development.

The WRA will select a Developer with demonstrated experience and capacity to develop affordable housing that best addresses the needs and goals of the WRA.

5 Ibid.

<sup>&</sup>lt;sup>4</sup> The Warren Group, Town Stats, www.twgstats.com, accessed 11/20/19.

<sup>6</sup> South Coast Today, May 2019, https://www.southcoasttoday.com/news/20190503/warehams-rosebrook-luxury-apartments-celebrates-its-opening, accessed 11/22/19

<sup>&</sup>lt;sup>7</sup> Realtor.com, https://www.realtor.com/soldhomeprices/Wareham\_MA/beds-2-2/type-single-family-home/sby-10, accessed 11/22/19

<sup>\*</sup>Wareham Economic Development Strategy, March 2019, page 5-6, https://www.wareham.ma.us/sites/warehamma/files/uploads/wareham\_economic\_development\_strategy\_final\_may\_8\_2019.pdf, accessed 11/2/19.

# **Development Phasing and Timing**

Once a preferred developer for the site has been selected by the WRA, both parties will enter into a Land Disposition Agreement (LDA). The LDA will establish the parameters of the project as well as its terms and conditions. It is anticipated that the selected Developer will be responsible for performing due diligence, securing zoning approvals, securing all permits, submitting regular progress reports to the Town, coordinating community dialogue, securing needed financing/subsidies, developing the property per the proposal and adhering to the project schedule. All costs and expenses of leasing and developing the Property, including without limitation, all costs of permitting and improvements, shall be the sole responsibility of the selected developer.

The selected Developer will be expected to start construction no later than 24 months after selection.

# **The Development Site**

**Addresses/Parcel IDs:** 4 Littleton Drive/56/1 **Acreage:** +/- 16.1 acres (+/- 701,252 s.f.)

**Zoning District:** MR-30

**Owner:** Wareham Redevelopment Authority

#### Other property characteristics:

The Property is an undeveloped, forested lot located off of Swifts Beach Road, about one mile northeast of the beach and one mile southwest of Wareham Village. The total area is approximately 16 acres, however the Assessor records it as 12.92 acres due to the previously defined rights-of-way within the site. It is identified on Assessor Map 56 (see Appendix) as Parcels 1-5, 8-43, and 46-47. A subdivision was previously approved in 1976 that laid out Littleton Drive and Sussex Drive (paper streets). Recission of the subdivision will be needed to remove existing rights-of-way. Parcels 6, 7, 44, and 45 have previously been developed as single-family homes, and access to Swifts Beach Road is available through a short paved section of Littleton Drive. Frontage is sufficient for road and utilities. The rear of the property abuts Dennis Lane, which also provides access to the site, and Nicholas Drive.

See the Appendix for a survey of the property and information on previous entitlements.

The neighborhoods surrounding the Property are a mix of single-family homes on approximately 10,000 sq. ft. lots and two multifamily housing developments (Map 1). The Woods at Wareham is an affordable apartment community consisting of seventeen two-story buildings, with a total of 100 housing units. On Cranberry Grove Way, just southeast of the Property, thirty-six age-restricted (55+) housing units were built in 2001, in the form of nine single-story quadplexes. The remaining single-family homes near Swifts Neck Beach are primarily small, one and two-story houses on lots less than 5,000 sq. ft. in area.

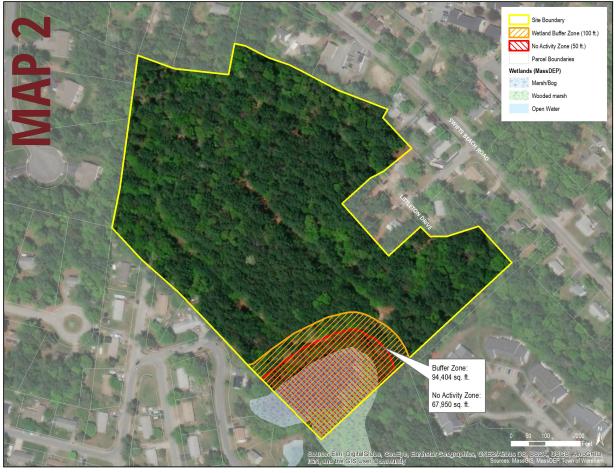
In the south corner of the Property, there is a small pond and adjacent marsh, which represents about six percent of the total site area (Map 2). According to the Wareham <u>Wetland Protective Bylaw</u>, a 100 ft. buffer zone must be maintained around all wetlands and water bodies, as well as a 50 ft. "No Activity Zone" (for residential developments with more than four units). As shown in the map, the Buffer Zone area represents 94,404 sq. ft. of the site, and the No Activity Zone represents 67,950 sq. ft. of the site. Additionally, the entire Property is located within an area designated as 0.2% Annual Chance of Flooding (Flood Zone X), according to FEMA Flood Insurance Rate Map information.

Approximately eighty-six percent of the Property is forested, with a small proportion of impervious surface associated with the dirt roads that exist along the previously established right-of-way. Overall the property is flat and level, and the predominant soil type is "Deerfield fine sand, 0 to 3 percent slopes," which is moderately well drained.

Wareham's existing town water and sewer networks are accessible from the Property, with a major sewer line running along Swifts Beach Road. The town's electrical service is provided by Eversource, and gas is provided by National Grid. Verizon FIOS is available for TV, phone, and high-speed internet service.

<sup>&</sup>lt;sup>9</sup> Wareham Wetland Protective By-Law, 2016, https://www.wareham.ma.us/sites/warehamma/files/uploads/warehamwetlandbylaw.pdf accessed 11/2/19





# **Zoning**

The following zoning summary is intended for convenience only and is not intended to substitute the official Wareham Zoning Bylaw or Map, which are superior to this report. It is anticipated that the Developer may file for zoning relief through a Chapter 40B comprehensive permit, likely through the Local Initiative Program ("friendly" 40B), or request a zoning amendment, such as adoption of a MGL c. 40R Starter Home Zoning Overlay District. A zoning amendment would require approval in the spring Town Meeting, on Monday, April 27, 2020.

The property is located in the Multiple Residence 30 (MR-30) zoning district. The following summary is based on the most recent version of the *Town's Zoning Bylaw*, which is effective as of October 2018, and the *Zoning Map*, which is effective as of May 14, 2007. The MR-30 district is intended to promote residential development at moderate to high densities.

#### Residential and Commercial Uses Permitted

The uses permitted in the MR-30 district include:

#### **By-Right**

- · Single-family detached
- Two-family

#### **By Special Permit**

- 3-4 family in new structure (Planning Board)
- 5+ family in new structure (Planning Board)
- Residential Cluster Development (Planning Board)
- Seasonal Conversion (Zoning Board)
- · Neighborhood convenience store

#### Residential and Commercial Uses Prohibited

- Apartments in mixed-use building
- Manufactured home park
- All commercial uses (other than Neighborhood convenience store)

The subject property does not appear to be within any overlay districts.

# **Dimensional Requirements**

In the MR-30 district per Section 621, the minimum lot size for multiple-family buildings (3+ units) is 30,000 s.f. per unit. (or about 1.45 units per acre). For multiple-family buildings the minimum frontage allowed is 250 feet, the maximum front setback is 30 feet, and the side and rear setback is 20 feet. Maximum height allowed for all residential uses is 35 feet. There are no maximum building coverage or impervious surface requirements for multiple-family in this district.

# Transfer of Development Rights (TDR) Bylaw

The purpose of the TDR bylaw (Section 570) is to allow the development potential from one property (the sending parcel) to be transferred to another property (the receiving parcel) for the preservation of critical open space and natural resource areas. This refers to the right to develop land by a land owner who maintains fee simple ownership over the land or by a party other than the owner who has obtained the rights to develop. Such rights to develop are determined by application of relevant statutory and regulatory authority.

# Design Standards and Guidelines

Article 7, Design Standards and Guidelines, primarily apply to properties in other zoning districts, however this article includes a general requirement that all utilities (such as electric, telephone, cable, water, gas, etc.) be installed underground in all zoning districts. Any developer is still expected to work closely with the WRA on design, as demonstrated through the evaluation criteria.

# Alternative Residential Site Development

Article 8 includes provisions for Residential Cluster Development (Section 810) and Multiple Family and Apartment Dwellings (Section 820).

**Section 810 Residential Cluster Development:** to encourage the preservation of open space and promote more efficient use of land and can apply to tracts with at least 10 acres of area to be developed for single-family dwellings, or at least 25 acres for two-family or multiple family. Per this section, the total number of proposed lots shall not exceed the number of lots which could be developed in the underlying zoning district for a single-family residential development.

**Section 820 Multiple Family and Apartment Dwellings:** to provide buildings, or a portion thereof, designed for occupancy by 2 or more families living independently of each other. This section includes the following key provisions:

- A minimum dwelling unit size of 650 s.f. of livable floor area
- The development must be served by a public water system and public sewer system or an individual on-lot septic system if the public sewer system is not accessible as proved in the State Sanitary Code
- Minimum lot area is five acres
- 200' setback from a coastal wetland
- The number of units shall not exceed the number allowed for a conventional single-family residential development
- If the development includes more than 12 units, a minimum 500 s.f. recreation area per each 2-bedroom unit and 1,000 s.f. for each 3+ bedroom unit housing for the elderly and one-bedroom units are exempt from this requirement.

# **Selection Process**

The WRA will function as the Developer Selection Committee, and will review and evaluate all proposals that have been received by the submission deadline based on the criteria outlined herein. Evaluation of the proposals will be based on the information provided in the proposers' submission in accordance with the submission requirements of this RFP and any interviews, references, and additional information requested and/or gathered by the WRA. The WRA anticipates that it may hold interviews with teams that have submitted complete proposals that meet the minimum threshold criteria within approximately four weeks of proposal submission, selecting a developer within 60 days of submission, and executing a Land Disposition Agreement within 60 days of developer selection. The WRA will select the developer that it deems has submitted the most advantageous and responsive proposal.

The WRA reserves the right to select the proposal that best meets the needs of the community ,and that may not be the proposal that achieves the highest score. The WRA reserves the right to reject any or all responses or to cancel this RFP if it is in the WRA's best interests. This RFP (including all attachments and supplements) is made subject to errors, omissions, prior sale, or financing, withdrawal without prior notice, and changes to, additions to, and different interpretations of laws and regulations.

The WRA will notify all proposers in writing of its decision.

# **Submission Requirements**

The following are the terms and conditions of the RFP. The prospective Developer team responding to this RFP shall be led by a firm or individual who is proposing to enter into a real property transaction with the Town for the project. Responses must also identify members of the proposed design team that would be responsible for creating the plan for the development. Designers may include urban designers, architects, landscape architects, and engineers. Designers must hold all required registrations in the Commonwealth of Massachusetts to perform the work proposed.

# **Project Coordinator**

Kenneth Buckland, Wareham Director of Planning and Community Development, will act as the project coordinator between the Developer and the WRA. Inquiries and correspondence shall be directed in writing to Mr. Kenneth Buckland, Planning and Community Development Department, Town of Wareham, 54 Marion Road, Wareham, MA 02571 or by email to <a href="mailto:kbuckland@wareham.ma.us">kbuckland@wareham.ma.us</a>.

# RFP Availability

Copies of the RFP are available beginning on Wednesday, January 15, 2020. The RFP may only be obtained directly from the WRA/Town, so that any addenda and notices can be distributed to all interested parties. Responses submitted by firms that have not obtained the RFP directly from the WRA/Town will not be accepted. The RFP will be available at <a href="https://www.wareham.ma.us">https://www.wareham.ma.us</a>.

# **Questions and Answers**

Questions must be submitted in writing only via mail or email and received no later than 12:00pm Eastern Standard Time on Monday, February 24, 2020. Telephone or in-person questions will not be accepted. All answers and questions will be posted to the Town website by Monday, March 2, 2020.

# **Pre-Submission Meeting**

There will be a non-mandatory pre-submission meeting held at the Wareham Town Hall, 54 Marion Road, Wareham, in Room 27 on Monday, February 10, 2020 from 10:00am to 12:00pm. All interested parties are invited to attend. Weather permitting, representatives from the WRA will offer a site tour and be available to address any additional questions following the in-office meeting.

# Cost Liability and Revisions to the RFP

The WRA assumes no responsibility and no liability for costs incurred relevant to the preparation of responses to this RFP by prospective Developer teams. In the event it becomes necessary to revise any part of this RFP, revisions will be provided to all who received the RFP. The WRA shall bear no responsibility or liability due to copies of revisions lost in mailing or not delivered to a prospective Developer due to unforeseen circumstances.

# Response Date

In order to be considered for selection, complete, signed responses to this RFP should arrive at the WRA, directed to the attention of Kenneth Buckland, Director of Planning and Community Development, Town of Wareham, 54 Marion Road, Wareham, MA 02571 on or before 12:00pm Eastern Standard Time on Monday, March 9, 2020. Prospective Developers mailing responses should allow for normal mail delivery time to ensure timely receipt of their proposals.

No exceptions to this deadline will be made for weather, poor courier service, transportation problems, or any other reason, unless issued by formal addendum from the issuing authority, or unless Town offices are closed, in which case the deadline would be moved to the following business day. All responses submitted to the WRA shall become the property of the WRA.

In order to be considered for selection, prospective developers should submit a complete, signed response to the RFP. Submit by mail five (5) bound hard copies and a USB flash drive with files in PDF format to the attention of the Director of Planning and Community Development. The prospective Developer shall make no other distribution of the responses. Responses shall be marked "Littleton Drive Development Proposal" and must include all required documents.

Faxed or electronically mailed (e-mailed) proposals will be deemed non-responsive and will not be accepted.

# Required Response Submission Content

Qualifications along with statements of understanding of the project and a description of why the WRA should select your proposal shall be included in the submission to be considered for selection. The WRA requires that each prospective Developer follow the guidelines for response format and content so that the evaluation and selection process can occur in an orderly, timely, and equitable manner.

#### The response must include the following items in the following order, identified by the number listed below:

#### 1. THE DEVELOPER

The proposal must include a description of the development team, the individuals and organizations to be involved in the development, in particular the project manager, and their experience. The development team may include, without limitation, the developer, property manager, architect, contractor, engineers, consultants, lenders and investors.

The Town of Wareham is an equal opportunity employer. The Town of Wareham encourages proposals from Women and Minority Business Enterprises.

#### Proposals must include:

- a. The name, address, e-mail address, and telephone number of the proposer, the name of any representative authorized to act on his/her/its behalf, the name and contact information of the person to which all correspondence should be addressed, and the names and primary responsibilities of each individual on the development team.
- b. If the proposer is not an individual doing business under his/her name, a description of the firm and status of the organization (e.g. whether a for-profit, not-for-profit or charitable institution, a general or limited partnership, a corporation, LLC, LLP, business association, or joint venture), and the jurisdictions in which it is registered to do business. If the proposer is a non-profit, please include a list of the organization's Board of Directors and areas of expertise they represent.
- c. The nature of the entity to enter into the sale of the Property, and the borrower and guarantors of debt, if any.
- d. Identification of all principals, partners, coventurers or sub-developers participating in the transaction, and the nature and share of participants' ownership in the project.
- e. Discussion of whether the Property developer will also be the property manager and if this is not the case, the legal and financial relationship between the entities. If the developer will not be the property manager, the proposer shall describe the process for securing property management services.
- f. Identification of the development team, such as architects, engineers, landscape designers, contractor, development consultants. Background information, including firm resumes and resumes for principals and employees expected to be assigned to the project, should be provided.
- g. A summary of first, the developer's and secondly, the development team's experience collectively and individually, with similar projects. Particular attention should be given to demonstrated experience with projects of a similar scale and complexity of site conditions, design and financing, as well as location. Proposer should demonstrate the ability to perform as proposed and to complete the project in a competent and timely manner, including the ability to pursue and carry out design, permitting, financing, construction, and marketing/unit absorption.
- h. For each similar project identified, provide project name, location, project type, start date, projected completion date and actual date of completion, total development costs and key project people.
- i. Information regarding any past, pending or threatened legal or administrative actions that could relate to the conduct of the Proposer, its principals, or any affiliates.
- j. Confirmation that no local, state or federal taxes are due and outstanding for the development team or any constituent thereof.
- k. Provision of references for three completed projects, with contact names, titles, and current telephone numbers, who can provide information to the WRA concerning the Proposer's experience with similar projects.

#### 2. DEVELOPMENT CONCEPT NARRATIVE

The proposal must include a detailed description of the development concept for the property and its improvements, including but not limited to:

- a. Number and size of units (square footage and number of bedrooms/bathrooms) and affordability levels. Include narrative as to why/how the mix of bedroom sizes and affordability were determined to ensure project financial feasibility and appropriateness for the marketplace;
- b. Discussion of the physical plan and architectural character of the project and the various programmatic and physical elements of the development, including energy savings/ green elements of the building and site designs;

- c. Construction staging plan and discussion of construction impacts, including but not limited to how the project will be managed to limit impact on neighbors in particular noise and traffic during the construction period;
- d. Project financing
  - Sources and Uses of Funds
  - Construction Estimate
  - For rental: 20-Year Operating Pro Forma
  - For condominiums: First Year Condo Budget
  - For Tax Credit Projects: Tax Credit Calculation;
- e. Proposed lease payments to the WRA for the ground lease;
- f. Evidence of developer's financial capacity to cover equity requirements; and
- g. A minimum of two letters of interest from construction and permanent lenders and investors if proposing to use low income housing tax credits.

#### 3. CONCEPTUAL DESIGN DRAWINGS

The proposal must include 11 x 17 plans including:

- a. Site plan that describes parking layout and numbers of parking spaces and building footprints;
- b. Landscape plan with sufficient detail on how the plan addresses limiting the project impact on surrounding areas;
- c. Floor plans indicating location of affordable and market rate units;
- d. Elevations with material indications;
- e. Typical unit plans (for affordable and market-rate units, demonstrating level of comparability).

#### 4. MARKETING AND MANAGEMENT PLAN

- a. Description of the target market, unit pricing (sales prices or rents) and the strategy for marketing and lottery process;
- b. The proposal must include a plan for the ongoing management of the development and any resident services that may be provided on site;
- c. For each management agent and service provider, whether affiliated with the Proposer or a third-party, include details on management/service experience including property types, number of units, familiarity with subsidy programs, key staff, and any other information deemed relevant to demonstrating capability;
- d. Lottery for Affordable Units: To ensure a fair and equitable selection process for the affordable units, whether rental or for-sale, a lottery shall be conducted for all of the affordable units. Proposals may include a lottery agent as part of the development team. A marketing/lottery plan shall be required as part of the approval of the units as Local Action Units, and prior to building permit issuance. For the proposal, the Proposer shall indicate any other lotteries they have been involved in, their role and the outcomes.

At a minimum the selected Proposer and/or their Agent shall demonstrate the following:

- A clear understanding of tenant selection and fair housing requirements/laws;
- A clear understanding of local preference opportunities and requirements, and how the lottery will address these; and
- Experience with state standards related to determining, documenting, and maintaining program and unit eligibility i.e. qualified buyers/renters.

#### 5. ZONING AND PERMITTING

a. Provide an overview of the expected need for permitting and regulatory relief, governmental or regulatory approvals including land use, zoning, development, and environmental permits.

#### 6. IMPLEMENTATION PLAN AND TIMETABLE

Provide a description of how the development concept will be implemented and include a project schedule detailing key benchmarks for pre-development, permitting, construction, marketing and project occupancy. Include an outline of required land use, environmental, operational and other governmental or regulatory approvals, including land use, zoning, development and environmental permits.

#### 7. REQUIRED FORMS (PROVIDED IN APPENDICES):

a. Certification of Tax Compliance, required under M.G.L. c. 62C, §49A, in which the proposer certifies that he or she has complied with all laws of the Commonwealth of Massachusetts relating to taxes;

- b. Certificate of Non-Collusion, required under G.L. c. 30B, §10, in which the proposer states that this proposal is made in good faith without fraud or collusion or connection with any other person submitting a proposal signed and dated by the proposer;
- c. Disclosure of Beneficial Interest Form, required under M.G.L. c. 7C, §38, in which the proposer identifies the parties who will have an interest in the Property and whether any such party is a state or local employee;
- d. Certificate of Authority, in which the proposer, if an entity, identifies the names and addresses of the managers, directors, officers, and/or other parties authorized to act on behalf of the entity.

# Developer Selection Criteria

All proposals submitted by the due date will be evaluated for conformance with the below stated minimum criteria. Those proposals that meet the minimum criteria will then be evaluated by the comparative criteria described below. Proposers may be invited for an interview and will be scored by the review committee. The WRA reserves the right to select the proposal that best meets the needs of the community, and that may not be the proposal that achieves the highest score.

#### MINIMUM THRESHOLD CRITERIA

The following are minimum criteria for Proposal consideration. Proposals that do not clearly and fully convey these minimum criteria will not be considered. The WRA reserves the right to waive minor requirements.

- 1. Complete conformance with all submission requirements
- 2. Proposer must have a minimum of 5 years' experience in development of affordable housing
- 3. Proposer must show a successful track record of projects of similar scope and scale
- 4. Developer availability to commence work within 90 days of selection; show sufficient staff resources and availability to perform required services
- 5. Completed required forms (see attachments):
  - Certificate of Tax Compliance
  - Certificate of Non-Collusion
  - Disclosure of Beneficial Interest Form
  - Certificate of Authority

#### **COMPARATIVE EVALUATION CRITERIA**

Projects meeting the minimum criteria will then be judged on the following additional comparative evaluation criteria:

- **a. Affordability:** Extent to which the proposed development provides affordable housing units that count on the State's Subsidized Housing Inventory and meet documented local housing needs, providing local preference to the greatest extent allowed under the law.
- **b. Developer Team Track Record:** Extent to which the Developer's team's experience exceeds or meets the minimum criteria; the Developer's prior track record in the construction of affordable housing and the experience of the development team with regard to the development, financing, and marketing of affordable housing of a similar scale and type.
- **c. Developer Financial Capacity:** Review of all other real estate owned and any bankruptcy within the past ten years by any member of the development team; ability to secure financing as evidence by letter(s) from prospective lender(s).
- **d. Management Approach:** Extent to which developer demonstrates a strong track record with high-quality management team and service providers, and the strength of the proposed management plan.
- e. Project Timeline: Proposer's demonstrated ability to complete projects on time and within budget
- **f. Financial Feasibility:** Adequacy of the proposed development and operating budgets and likelihood of receipt of state, federal, and/or local financing.
  - Analysis of sources and Uses: proposed budgets that are based on current cost and market conditions.
  - Analysis of operating budget: appropriate for target population, reasonableness of management, administrative costs, maintenance and utility costs.
- **g. Lease Price:** The proposal clearly and specifically accounts for annual ground lease payments to the WRA and explains the public benefits that would justify discounted or nominal lease payments, if appropriate.
- **h. Development Concept:** Extent to which the proposal addresses the development objectives described above and reflects full knowledge and understanding of project constraints.

- i. **Site and Unit Design:** A superior design approach reflecting identified housing needs, that creates density within the context of its surroundings, that reflects the local historical design vernacular, that provides community while maintaining individual resident privacy, provides adequate parking, provides adequate open space, and limits the impact on the site to the greatest extent possible.
- **j. Green Design Elements:** Demonstrated success in embracing and implementing the highest standards of sustainability and environmental sensitivity.
- **k. Collaborative Approach:** Extent of past successes in working constructively with town officials, municipal/ project advisory committees, and local businesses and residents.

Responses will be rated using a set of comparative criteria with the following rating system:

| Rating              | Rationale                           |
|---------------------|-------------------------------------|
| Highly advantageous | Exceeds the requirements/preference |
| Advantageous        | Meets the requirements/preference   |
| Acceptable          | Meets minimum requirements          |
| Not acceptable      | Does not meet requirements          |

# Proposal Submission Terms and Requirements

- a. The WRA reserves the right to reject any and all proposals in whole or in part, and to waive minor informalities, when at its sole discretion it is deemed to be in the best interests of the WRA, to the extent permitted by law.
- b. Proposals that meet all quality requirements shall be evaluated based on responsiveness to the criteria, terms and conditions contained in this RFP and its attachments. Failure to follow the instructions, meet the criteria, or agree to the terms and conditions contained in this RFP may be cause for rejection of the proposal as non-responsive.
- c. All proposals shall be submitted to the WRA, as and where set forth above, on or before the proposal deadline. Proposals and unsolicited amendments to proposals received by the WRA after the proposal deadline will not be considered, and requests for extensions of time will not be granted. Proposers who mail proposals should allow sufficient time for receipt by the WRA by the proposal deadline. Proposals received after the proposal deadline will be returned to the Proposer unopened.
- d. All proposals shall be signed in ink by the proposer. If the proposer is a corporation, the authority of the individual signing shall be endorsed upon, or attached to, the proposal and certified by the clerk of the corporation.
- e. All proposals submitted shall be binding upon the proposer for a minimum period of one hundred twenty (120) calendar days following the opening of proposals submitted to the WRA. Proposals shall be securely kept and shall remain unopened until the proposal deadline and the opening of proposals.
- f. Proposals once submitted may, upon request of the proposer prior to the proposal deadline, be withdrawn or amended. If amended, resubmission of the proposal shall comply with all requirements of this RFP.
- g. Negligence on the part of the proposer in preparing the proposal confers no right of withdrawal after the proposal deadline. The WRA does not assume any responsibility for errors, omissions, or misinterpretations, which may have resulted in whole or in part from the use of incomplete proposal documents. Any proposer finding an ambiguity, inconsistency, or error shall promptly notify the WRA.
- h. If it becomes necessary to revise any part of this RFP, or if additional data are necessary to enable an exact interpretation of provisions, such addenda will be provided to all proposers who have requested this RFP. No addenda will be issued within the immediate three (3) business day period prior to the proposal deadline.
- i. By submitting a proposal in response to this RFP, the proposer shall be deemed to have certified that no officer, agent, or employee of the WRA has a direct or substantial financial interest in the procurement, that the proposal is submitted in good faith and exclusively on the proposer's own behalf, without fraud, collusion or connection of any kind with any other proposer for the same work or with any undisclosed party. Proposers will be required to execute the "CERTIFICATE OF NON-COLLUSION" contained in the "Contract," which shall be filed with the Office of the Inspector General

- j. All terms and provisions contained in the "LEGAL NOTICE" of this procurement (a copy of which is attached hereto) are incorporated by reference into this RFP.
- k. Proposers may add additional stipulations or otherwise qualify their proposals, but the WRA shall retain the sole right to judge the importance of any such stipulation or qualification. If the WRA determines that the stipulation or qualification is not in its best interest and/or is materially unacceptable, and if the proposer does not clearly indicate this to be an alternative for consideration, then the WRA reserves the right to reject such proposal.
- I. Selection of a proposer's proposal will not create any rights on the proposer's part, including, without limitation, rights of enforcement, equity or reimbursement, until a Land Disposition Agreement and all related documents are approved by the WRA and fully executed.
- m. It is understood, agreed upon and made a part hereof, and shall be a part of the contract, that the contract entered into between the WRA and the successful Developer shall not be assigned or assignable by way of sub-contract or otherwise, unless or until the WRA shall have first assented thereto in writing.
- n. The WRA reserves the right to modify any specifications and submission requirements associated with the proposal and the scope of the project.
- o. All proposals must be submitted on the forms provided or on attachments approved in advance by the WRA.
- p. All information concerning materials, warranties, guarantees, complete plans, and complete specifications are due at the time of the proposal opening.

### Rule for Award

The most advantageous proposal from a responsive and responsible proposer, taking into consideration all evaluation criteria set forth in the solicitation, will be selected.

# Terms of Lease

The parties shall enter into a long-term (99 year) lease which shall be attached to a Land Development Agreement (LDA) as an exhibit. The Lease shall be executed when the conditions set forth in the LDA have been satisfied. The parties shall negotiate a lease that will govern the development and operation of the project, and the final lease shall be attached to the LDA. The Lease shall, at a minimum, require: (i) new construction resulting in the creation of housing units on the Property, and (ii) the Property shall be subject to a regulatory agreement and/or an affordable housing restriction satisfactory to the Town and complying with G.L. c.184, §§ 31-33, or incorporate into the Lease terms that will ensure the affordability of all the affordable units for the term of the Lease. The Lease will prohibit the successful Proposer from transferring or assigning (except for certain permitted transfers) the Lease until and unless the project has been substantially completed; require the successful proposer to carry performance and payment bonds; maintain insurance; and shall be a triple net lease, requiring the successful Proposer to be solely responsible for the maintenance, operation, payment of rent, utilities, taxes and insurance of the Property, among other costs.

# **APPENDICES**

**SURVEY** 

MAP SHOWING SUBDIVISION

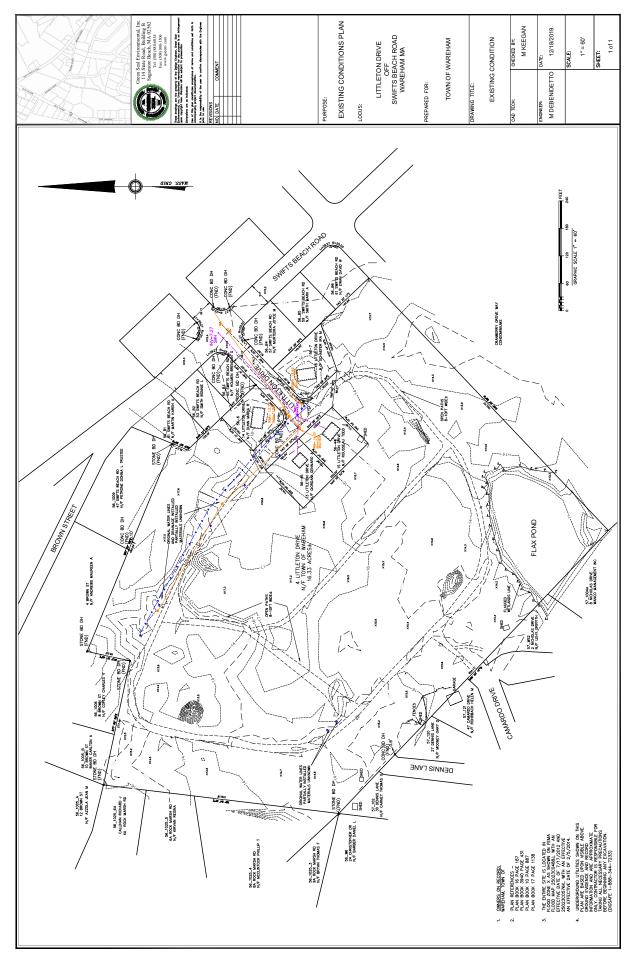
**ASSESSOR'S CARD** 

**PRIORITIES FOR DEVELOPMENT** 

**PREVIOUS ENTITLEMENTS** 

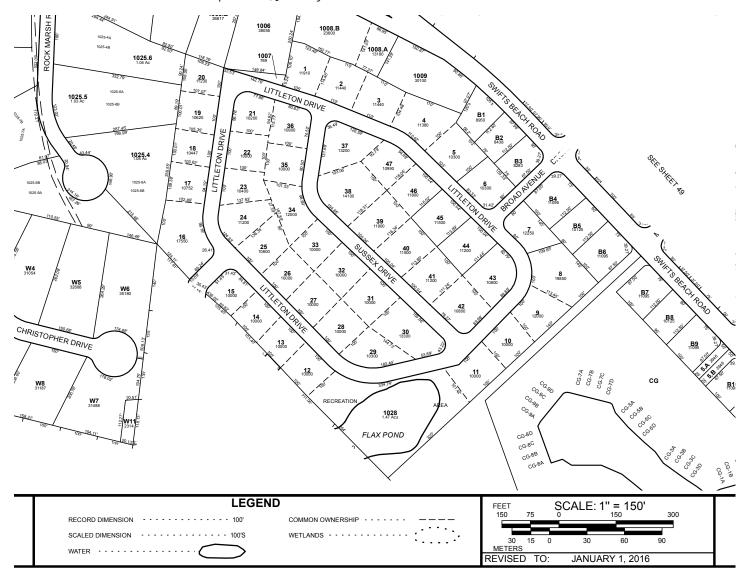
**SUBDIVISION** 

**CERTIFICATES** 



# MAP SHOWING SUBDIVISION

Town of Wareham Assessor's Map No. 56, January 2016



#### **4 LITTLETON DR**

Location 4 LITTLETON DR **Mblu** 56//1//

Acct# Owner TOWN OF WAREHAM

**Assessment** \$185,100 **Appraisal** \$185,100

> **PID** 7941 **Building Count** 1

#### **Current Value**

| Appraisal      |              |           |           |
|----------------|--------------|-----------|-----------|
| Valuation Year | Improvements | Land      | Total     |
| 2020           | \$0          | \$185,100 | \$185,100 |
|                | Assessment   |           |           |
| Valuation Year | Improvements | Land      | Total     |
| 2020           | \$0          | \$185,100 | \$185,100 |

#### **Owner of Record**

Sale Price Owner TOWN OF WAREHAM \$1

Certificate Co-Owner

Address 54 MARION RD **Book & Page** 4943/86

WAREHAM, MA 02571 Sale Date 01/01/1901

# **Ownership History**

| Ownership History |            |             |             |            |
|-------------------|------------|-------------|-------------|------------|
| Owner             | Sale Price | Certificate | Book & Page | Sale Date  |
| TOWN OF WAREHAM   | \$1        |             | 4943/ 86    | 01/01/1901 |

#### **Building Information**

#### **Building 1: Section 1**

Year Built:

Living Area: 0 Replacement Cost: \$0

**Building Percent** 

Good:

**Replacement Cost** 

**Less Depreciation:** \$0

| Building Attributes |             |  |
|---------------------|-------------|--|
| Field               | Description |  |

| Style              | Vacant Land |
|--------------------|-------------|
| Model              |             |
| Grade:             |             |
| Stories:           |             |
| Occupancy          |             |
| Exterior Wall 1    |             |
| Exterior Wall 2    |             |
| Roof Structure:    |             |
| Roof Cover         |             |
| Interior Wall 1    |             |
| Interior Wall 2    |             |
| Interior Flr 1     |             |
| Interior Flr 2     |             |
| Heat Fuel          |             |
| Heat Type:         |             |
| AC Type:           |             |
| Total Bedrooms:    |             |
| Total Bthrms:      |             |
| Total Half Baths:  |             |
| Total Xtra Fixtrs: |             |
| Total Rooms:       |             |
| Bath Style:        |             |
| Kitchen Style:     |             |
| # of Fireplaces    |             |
| Fireplace Type     |             |
| Finish Bsmt SF     |             |
| Fin Bsmt Qual      |             |

# **Building Photo**



 $(http://images.vgsi.com/photos2/WarehamMAPhotos//\00\03\86$ 

# **Building Layout**

(http://images.vgsi.com/photos2/WarehamMAPhotos//Sketches/:

| Building Sub-Areas (sq ft)   | <u>Legend</u> |
|------------------------------|---------------|
| No Data for Building Sub-Are | eas           |

#### **Extra Features**

| Extra Features             | <u>Legend</u> |
|----------------------------|---------------|
| No Data for Extra Features |               |

#### Land

| Land Use Land Line Valuation |                     | tion            |           |
|------------------------------|---------------------|-----------------|-----------|
| Use Code                     | 9360                | Size (Acres)    | 12.92     |
| Description                  | VAC TAX TITLE TREAS | Frontage        | 0         |
| Zone                         | MR30                | Depth           | 0         |
| Neighborhood                 | 0050                | Assessed Value  | \$185,100 |
| Alt Land Appr                | No                  | Appraised Value | \$185,100 |
| Category                     |                     |                 |           |

# Outbuildings

| Outbuildings             | <u>Legend</u> |
|--------------------------|---------------|
| No Data for Outbuildings |               |

# **Valuation History**

| Appraisal      |              |           |           |
|----------------|--------------|-----------|-----------|
| Valuation Year | Improvements | Land      | Total     |
| 2019           | \$0          | \$190,400 | \$190,400 |
| 2018           | \$0          | \$190,400 | \$190,400 |
| 2017           | \$0          | \$190,400 | \$190,400 |

| Assessment     |              |           |           |
|----------------|--------------|-----------|-----------|
| Valuation Year | Improvements | Land      | Total     |
| 2019           | \$0          | \$190,400 | \$190,400 |
| 2018           | \$0          | \$190,400 | \$190,400 |
| 2017           | \$0          | \$190,400 | \$190,400 |

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#### PRIORITIES FOR DEVELOPMENT



# **Wareham Redevelopment Authority**

Town Hall 54 Marion Road Wareham, MA 02571-1428

Peter Teitelbaum, Chairman Kenneth Buckland, Clerk

Mary Bruce, Selectman Richard Swenson, At-Large

Derek Sullivan, Town Administrator

Sonia Raposo,. Assistant

(508) 291-3100 x6500 kbuckland@wareham.ma.us sonia\_raposo@wareham.ma.us August 20, 2019

Chrystal Kornegay, Executive Director MassHousing One Beacon Street Boston, MA 02108

RE: Priorities for Littleton Drive Housing Development, Wareham

Dear Ms. Kornegay:

Thank you for meeting with us and considering ways to apply your agency's resources towards a successful housing project at Littleton Drive. We appreciate any and all efforts to make the project a reality.

Following are some of our initial thoughts on ideas, priorities and goals for the 13 acres at Littleton Drive:

<u>Use(s)</u> - The intended use of the site is for housing. However, where it adds value and creates a more successful project, a mix of uses will be acceptable.

<u>Users</u> – When voting to transfer this property to the WRA, Town Meeting was told that the expected housing would be for elderly. It is possible to go back to Town Meeting and receive confirmation for a new concept, but we believe that should be a future decision based on market demand and recommendations from developers.

<u>Rental / Ownership</u> – Here again, we anticipate this will be a future decision based on market demand and developers' recommendations.

Affordability – The town has needs for housing supporting a range of incomes. Our expectation is that the public good will be served if units are offered below the market rate. However, we will accept a project that is just 25% affordable, with the affordable units for incomes at 80% or less of AMI.

Style and Character – The Swifts Beach neighborhood is an eclectic mix of housing styles ranging from mobile home trailers, to small cottages, to duplexes and quads, to apartment buildings. With 13 acres, we anticipate the creation of a unique and high quality project that will attract buyers and/or renters. Build a great project and they will come!



Please consider these only as our initial thoughts. We look forward to your expert guidance as we further evolve the concepts and add to our housing stock.

Sincerely,

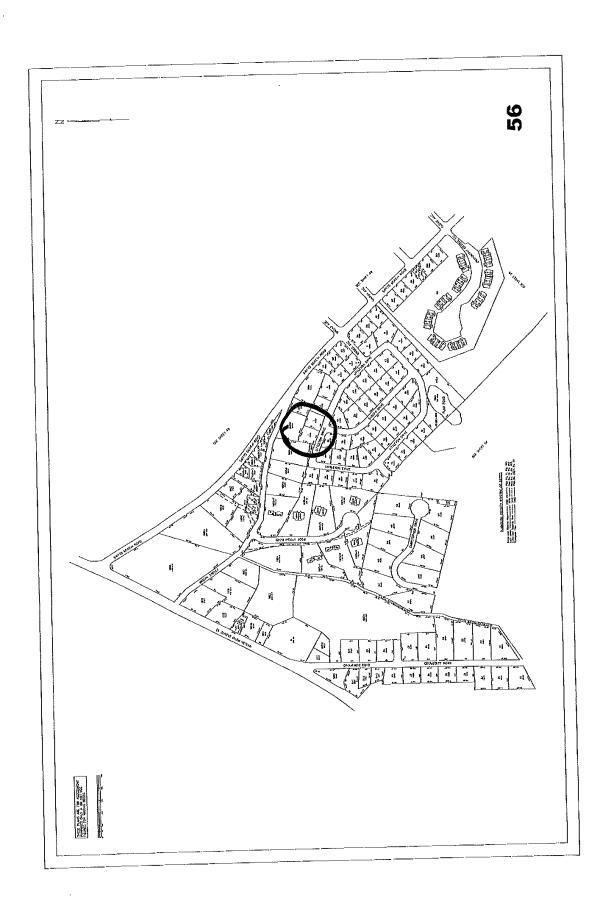
Kenneth Buckland, Clerk Director of Planning and Community Development

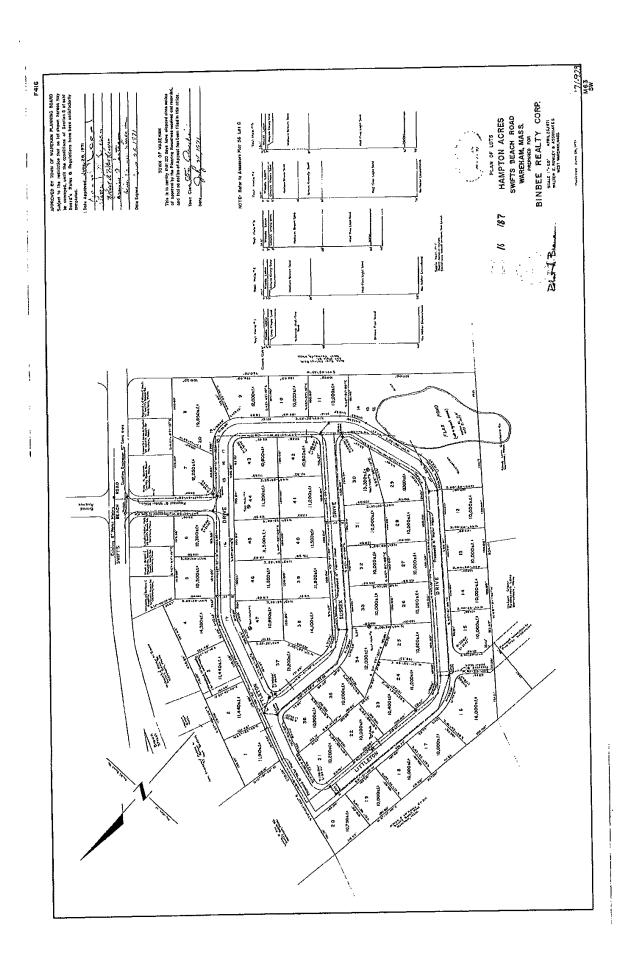
cc: Francis Goyes Flor, Policy Innovation Associate WRA

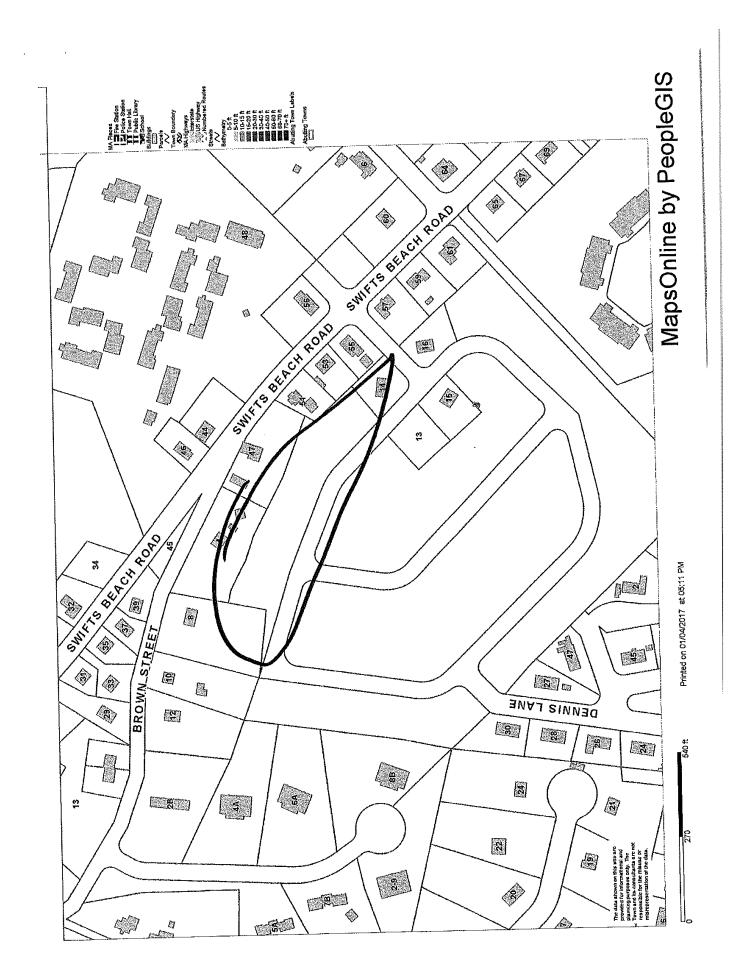
**Address: 4 Littleton Drive** 

# INFORMATION SHEET

| <b>Map: 56</b>                             | Lots: 1                   | Book: 4943                            | Pages: 86              |
|--|---------------------------|---------------------------------------|------------------------|
| Check List:<br>Assessor's I<br>Field Card: | Map: X Oliver Deed: V     | Lot Map: Satell                       | lite Image:            |
| Notes:                                     | Seems all<br>mosto the ta | gthe acreage for                      | underoloped<br>Pot "1" |
|  |                           |                                       |                        |
|  |                           |                                       |                        |
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|  |                           | · · · · · · · · · · · · · · · · · · · |                        |
|  |                           |                                       |                        |







| State Use: 9360<br>Print Date: 01/09/2017 08:38  | 925<br>WAREHAM, MA  | VISION                                   | ode Assessed Value 195,200   |  | 190,400   | 190,400<br>C  | 190,400                                       | Vision Review                  | dj Adi, Uni Price Land Value<br>1.00 8.000.00 95,400<br>1.00 8.000.00 95,400<br>Total Land Value: 190,400   |
|--|---|--|--|--|---|---|---|--------------------------------|---|
| State Use: 9360<br>Card 1 of 1 Print Date: 01/09 | VT ASSESSMENT  e Appraised Value  190,400  190,400          | 70101 190,400                            | PREVIOUS ASSESSMENTS (H.S.) OKT   Value   Yr.   Code   Assessed Value   Yr.   Code   190,4002017   9360   195,2002016   9360 | 190,400 Total: 195,200 Total: 195,200 Total: 195,200 This signature acknowledges a visit by a Data Collector or Assessor APPRAISED VALUE SUMMARY | Appraised Bldg, Value (Card) Appraised XF (B) Value (Bldg) Appraised OB (L) Value (Bldg) Appraised Land Value (Bldg)  | Special Land Value Total Appraised Parcel Value Valuation Method: | Adjustment: Net Total Appraised Parcel Value  | Date   Type   IS   ID   CO     | Special Pricing SAdj<br>Spec Use Spec Cale Fact<br>1.00   |
| Bldg Name: Dian.#. 1 of 1 Sec #: 1 of 1          | Dung Tr. 1011 CCUIRE  LOCATION Description CURR  EXM LAND 9 | 2-5/8-43<br>46,47,<br>1028+              | vi         SALE PRICE V.C.           1         2017 9360   | HER ASSESSMENTS Number Amount Comm. Int.   | Appri Batch Appri | Total Value   | Adju  | % Comp. Date Comp. Comments    | LAND LINE VALUATION SECTION   LAND LINE VALUATION SECTION   Tree   Factor St.   St.   St.   Notes-Adj   Notes-Adj   S.000.00   1.0000   5   1.000   A   1.00   A |
| MAP ID:56/11/                                    | Account # TOPO. UTILITIES STRT.ROAD                         | IPPLEMENTAL DATA Plan # Assoc. Parcels . | STD: M_264102_835812<br>BK-VOLPAGE_SALL<br>4945/ 86 0  | Amount Code Descript   | Total: ASSESSING NEI  | NOTES   |   | Description Amount Insp. Date  | Front Depth Units Price 1.18   1.92 AC   8.000.00   Card Land Units:   12.92 AC   Parcel T  |
| Property Location: 4 LITTLETON DR                | Vision ID: 7941  TOWN OF WAREHAM  S4 MARION RD              | 4 02571<br>5rs:                          | GES<br>TOWN OF WAREHAM   | EXEMPTIONS Year Type Description   | NBHD/ SUB NBHD Name   | 13000   | INCLUDES LOTS 2-5, 8-43,<br>46,47,1028 & 1029 | 56/1 Permit 1D Issue Date Type | 1   1   1   1   1   1   1   1   1   1   |

|   |   |  |   |  |   | No Photo On Record |  |  |
|---|---|--|---|--|---|--------------------|--|--|
| ONSTRUCTIO  | Code Description Percentage 9360 VAC TAX TITLE TREA 100 | Adj. Base Rate: 0.00  Net Other Adj: 0.00  Replace Cost 0.00 | De YB De YG Remodel Rating Year Remodeled Dep % Functional Obsinc External Obsinc Cost Trend Pastor | Condition % Complete % Complete Apprais Val Dep % Ovr Dep Ovr Comment Mise Imp Ovr | OB-OUTBUILDING & YARD ITEMS(L) / XF-BUILDING EXTRA FEATURES(B)  Description Sub Descript LB Units Unit Price Yr Gde Dp Rt Cnd 95Cnd Apr Value |                    | BUILDING SUB-AREA SUMMARY SECTION  Itom Living Area Gross Area Eff. Area Unit Cost Undeprec. Value |  |
| VISION 1D: 741  CONSTRUCTION DETAIL  Element Cd. Ch. Description E  Model 00 Vacant |   |  |   |  | OB-OUTBUILDING & YARD ITEMS() Code   Description   Sub Descript   UB   Units  |                    | BUILDING SUB-AR Code Description Living di   |  |

PAGE 086 BOOK 4943

PLYMOUTH SAVINGS BANK, a Massachusetts corporation having its principal place of business at 226 Main Street, Wareham, Plymouth County, Massachusetts, in consideration of ONE AND 00/100 (\$1.00) DOLLAR paid, grants to the TOWN OF WAREHAM, a municipal. corporation duly organized and existing under the laws of the Commonwealth of Massachusetts, Wareham, Plymouth County, Massachusetts, with QUITCLAIM COVENANTS, the land located in Wareham, Plymouth County, Massachusetts, being Lots 1 - 47 together with the unnumbered area around Flax Pond, all as shown on a plan entitled "Plan of Lots, Hampton Acres, Swift's Beach Road, Wareham, Mass., prepared for Binbee Realty Corp., Scale: 1" = 60', April 26, 1971, modified June 28, 1971, Walter E. Rowley and Associates, West Wareham, Mass." which plan is duly recorded with Plymouth County Regis try of Deeds in Plan Book 16 Page 187. Excepting therefrom Lots 6 7, 44 and 45, conveyed by deed dated July 2, 1976 recorded with Plymouth County Registry of Deeds in Book 4176 Page 396.

The above premises are conveyed subject to and with the benefit of the right to use the streets and ways shown on said plan and the streets and ways on any and all other plans of land leading to the public ways, for all purposes for which streets and ways are commonly used in the Town of Wareham, in common with all others lawfully entitled thereto.

For title see forclosure deed of Plymouth Savings Bank to this grantor dated May 7, 1979, recorded with Plymouth County Registry of Deeds in Book 4654 Page 299.

IN WITNESS WHEREOF, the said PLYMOUTH SAVINGS BANK has caused its corporate seal to be hereto affixed and these presents to be signed in its name and behalf by FRANK L. NICKERSON, its President, this 6th day of January , 1981.

PLYMOUTH SAVINGS BANK
By Mayle & Willesson

MGE 0 8 7 800K 4943

# COMMONWEALTH OF MASSACHUSETTS

BARNSTABLE, ss.

January 6, 1981

Then personally appeared the above named FRANK L. NICKER-SON, President, and acknowledged the foregoing instrument to be the

free act and deed of PLYMOUTH SAVINGS ,BANK, before

\m\\/\\m\\/\\\m\

RECTO JAN 20 1981 AT 10-20 AM AND RESERVED



# TOWN OF WAREHAM PLANNING BOARD

WAREHAM, MASS. 02571

May 10, 1976

Mr. Tony Bacchieri Town Clerk Town Hall Wareham, Mass.

Re: Hampton Acres

Dear Mr. Bacchieri:

After a public hearing held in the Wareham Town Hall on Thursday, April 29, 1976 at 7:30 P.M. with a large group of abutters, interested citizens, town officials, and the owners of the property with their legal counsel present to represent them, the Wareham Planning Board considered all the factors involved with the development and reviewed all the circumstances from the approval of the plan to the present time.

After full consideration of all the information, the Board voted unanimously to rescind approval of the plan entitled "Plan of Lots, Hampton Acres, Swifts Beach Road, Wareham, Mass., Prepared for Binbee Realty Corp.", dated April 26, 1971, drawn by Walter E. Rowley & Assoc., Inc., West Wareham; approved June 28, 1971, for the following reasons:

- 1. The Town of Wareham acted in good faith by releasing lots for construction and waiting beyond the two-year deadline for action on bond covering the construction of the ways, finally taking action to protect town prior to the fore-closure proceedings.
- 2. The developer did in fact cause problems for the town by leaving unfinished foundations, open ditches and uncovered manholes which the Municipal Maintenance Department secured at the town's expense in November, 1975.
- 3. This land is in the flood hazard area and excessive runoff to abutting properties would result from the elevated foundations and filling necessary to comply with the building code.
- 4. Septic systems would require filling and raising to meet requirements of sanitary code due to the watertable in this area.



# TOWN OF WAREHAM PLANNING BOARD

WAREHAM, MASS. 02571

--2-

5. Since approval of this plan, the lot size requirements were increased to 30,000 square feet and a municipal sewer system was installed. The owner declined the offer to negotiate a compromise by either increasing the lot sizes or connecting with the municipal sewer system.

Very truly yours,

Robert F. Packard Clerk

REC/jhw

# DISCLOSURE OF BENEFICIAL INTEREST FORM

#### TO THE WAREHAM Board of Selectmen (BoS)

The undersigned also hereby declares that the Developer makes this Proposal without any connection with any other persons or entities making any other Proposal for the Site; that no person acting for, or employed by, the Town of Wareham or the BoS is directly or indirectly interested or involved in this Proposal, or in any contract which may be made under it, or in expected profits to arise therefrom; that the Proposal is made without directly or indirectly influencing or attempting to influence any other person or corporation to submit or to refrain from submitting a Proposal or to influence the Proposal of any other person or corporation; and that this Proposal is made in good faith. The undersigned declares that this Proposal is based solely on the Developer's own investigation and research and not in reliance upon any plans, surveys, measurements, dimensions, calculations, estimates or representations of any employee, officer, or agent of the BoS.

The undersigned certifies on behalf of the Developer that the terms of the Proposal have been arrived at independently without collusion, consultation, communication or agreement, for the purpose of restricting competition, as to any matter relating to such terms with any other Developer or with any competitor; the terms of the Proposal have not been and will not be knowingly disclosed, directly or indirectly, by the Developer prior to the official opening of such Proposal, to any other Developer or to any competitor; no attempt has been made and none will made by the Developer to induce any other person, partnership, or corporation to provide or not to provide a submission for the purpose of influencing competition; and that no person or selling agency has been employed or retained by the Developer to solicit or secure selection under the RFP or award of this development opportunity on the understanding that a commission, percentage, brokerage, contingent or other fee would be paid to such person or selling agency.

| Name of Developer:                      |      |  |
|---|------|--|
| Type of Entity:                         |      |  |
| Developer's Address:                    |      |  |
|   |      |  |
| Developer's Email Address:              |      |  |
| Developer's Telephone Number:           | FAX: |  |
| Signature of Authorized Representative: |      |  |
| Name Printed:                           |      |  |
| Title:                                  |      |  |
| (Attach evidence of BoS)                |      |  |

# **CERTIFICATION OF TAX COMPLIANCE**

#### CERTIFICATION OF TAX COMPLIANCE

|                  | ed certifies, on behalf of the Team and the individual members of the Team, with all laws of The Commonwealth of Massachusetts related to the payment of |
|------------------|--|
|                  | taxes.   |
|                  |  |
|                  | Signature of individual submitting this proposal   |
| - Acceptance     | Name of Team   |
| SS No. or FID No |  |

DUPLICATE OR MODIFY THIS FORM AS NECESSARY SO THAT IT ACCURATELY DESCRIBES THE ENTITY SUBMITTING THE PROPOSAL AND SO THAT IT IS SIGNED ON BEHALF OF ALL PARTNERS, MEMBERS, OR JOINT VENTURERS OF THE TEAM.

# **CERTIFICATE OF NON-COLLUSION**

The undersigned certifies under penalties of perjury that this bid or proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

| Name of Business  |  |
|---|--|
| Signature of Individual Corporate Name                  |  |
| Signature of Individual Submitting Bid or Proposal      |  |
| Social Security Number or Federal Identification Number |  |

<u>CERTIFICATE OF VOTE</u> (to be filed if Contractor is a Corporation)

| I,                     | , hereby certify that I am the duly qualified a of the Corporation)      | nd     |
|------------------------|--|--------|
| (Secretary of          | of the Corporation)  |        |
| acting Secretary of    | (Name of Corporation) and I further certify that a m                     | eeting |
| of the Directors of sa | id Company, duly called and held on, at wind (Date of Meeting)           | hich   |
| all Directors were pre | esent and voting, the following vote was unanimously passed:             |        |
| VOTED:                 | To authorize and empower   |        |
|                        |  |        |
|                        |  |        |
|                        |  |        |
| Anyone acting          | g singly, to execute Forms of General Bid, Contracts or Bonds on beh     | alfof  |
| the Corporation.       |  |        |
| I further certif       | fy that the above vote is still in effect and has not been changed or mo | dified |
| in any respect.        |  |        |
|                        | By:(Secretary of Corporation)  |        |
|                        | (Secretary of Corporation)   |        |
| A True Copy:           |  |        |
| Attest:(Notary Publ    | lia)   |        |
| (Notary Publ           |  |        |
| My Commission Exp      |  |        |
|                        | (Date)   |        |