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January 5, 2022

Mr. Nazih Elkallassi, Chairman
Town of Wareham Zoning Board of Appeals
54 Marion Road
Wareham, MA 02571

Re: Permit: Woodland Cove Apartments Comprehensive Permit
Applicant: Dakota Partners, Inc.
Property: 3102 Cranberry Highway
Request: Notice of Project Change/Insubstantial Modification Request

**NOTICE OF PROJECT CHANGE
INSUBSTANTIAL CHANGE – CHANGE IN SUBSIDY PROGRAM**

Dear Mr. Elkallassi and Members of the Zoning Board of Appeals:

This office represents Dakota Partners, Inc. (“Dakota”) in connection with the above-reference Comprehensive Permit, as modified (the “Comprehensive Permit”).

Phase 1 of the Project is now under construction. Dakota is now proceeding with the second phase of the development, although it is the phase that had been called Phase 3 in the Comprehensive Permit. The Phase 3 portion of the Project will still be comprised of 24 units in one building.

For this Phase, the subsidizing agency and the financing program will not be the Department of Housing and Community Development Low Income Housing Tax Credit Program; rather it will be MassHousing as the subsidizing agency using the MassHousing Mixed-Income (Taxable/Tax-Exempt) Financing Program.

Under the Chapter 40B Regulations, we are now requesting that you approve the change in the subsidy program.

This Notice of Project is provided pursuant to the provisions of 760 CMR 56.05(11)(a), and Dakota requests that the Board determine that this change is insubstantial, in accordance

with 760 CMR 56.05(11)(a) and (b) and 760 CMR 56.07(4). As you know, pursuant to these regulations, the Board is required to determine within twenty (20) days whether the changes are insubstantial, and, if it is determined that they are insubstantial or if notice is not provided by the Board to the contrary within such twenty (20) day period, the Comprehensive Permit shall be deemed modified to incorporate the changes. The above process does *not* require a public hearing. A public hearing is only required if you determine that the changes are substantial changes, and the public hearing must be within thirty (30) days of a timely determination that the changes are substantial.

The Chapter 40B Regulations, as described in 760 CMR 56.07(4), set forth guidelines indicating that certain modifications are generally considered insubstantial. Subsection (5) states that the following is generally considered to be insubstantial:

“A change in the financing program under which the Applicant plans to receive a Subsidy, if the change affects no other aspect of the proposal.”

We believe that the proposed change is insubstantial in nature under the Chapter 40B Regulations, and we request the Board place this matter on its next available agenda which we believe is January 12, 2022, and that the Board vote to determine that the proposed change in the financing program is insubstantial under 760 CMR 56.05(11) and 760 CMR 56.07(4).

Thank you and we look forward to meeting with you soon.

Very truly yours,



Peter L. Freeman

cc: Muammar Hermanstye, Dakota Partners, Inc.
Mark Pilotte, Dakota Partners, Inc.