



Commonwealth of Massachusetts
**DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT**

Deval L. Patrick, Governor ♦ Aaron Gornstein, Undersecretary

HAND DELIVERED

October 29, 2014

Ms. Shelagh A. Ellman-Pearl, Esq.
Hearing Officer,
Housing Appeals Committee
Department of Housing and Community Development
100 Cambridge Street
Boston, MA 02114

Re: *In the Matter of Stoneham Board of Appeals and Weiss Farms Apartments, LLC, No 2014-10*

Dear Ms. Ellman-Pearl:

This letter responds to your request dated October 23, 2014. The October 23, 2014, letter requests information on Department of Developmental Services (DDS) group homes that are eligible for inclusion on the Town of Stoneham's Subsidized Housing Inventory (SHI). Specifically, the addresses and total land area of 14 sites have been requested. It is my understanding that this information is needed to determine if the Town has achieved the 1.5% General Land Area Minimum as defined under 760 CMR 56.03(3)(b).

DHCD does not have any further information regarding this matter other than the number of DDS (formerly Department of Mental Retardation (DMR)) group home units in Stoneham as reported by DDS due to privacy restrictions imposed by DDS. Pursuant to the DHCD Comprehensive Permit Guidelines, pg. II-5:

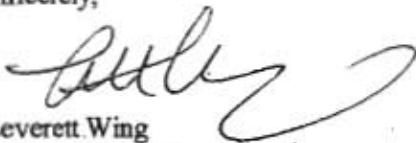
All Group Home units in each community as reported every two years to the DHCD by the Department of Mental Health (DMH) and the Department of Development Services (DDS) shall be eligible to be included on the SHI. Please note that Group Home units serving clients of the DMH and DMR are subject to privacy restrictions, but the number of such units in each community which are eligible to be included on the SHI is provided to DHCD by the respective departments annually.

Therefore, DHCD does not have knowledge of the group home addresses that it can share with the HAC or the parties because DDS does not share the addresses with DHCD. DHCD would also like to clarify that the 14 "Total SHI Units" corresponding to the "DDS Group Homes" on the SHI for Stoneham represents the capacity (to house residents) of the group homes as reported by DDS, not 14 separate sites.

Please be aware, that unlike the SHI for which DHCD inventories eligible housing units for purposes of the 10% Statutory Minimum, DHCD is not required under the c. 40B regulations at 760 CMR 56 to inventory land area for purposes of the General Land Area Minimum and therefore, DHCD has not inventoried land area (group homes or otherwise) for Stoneham. DHCD cannot confirm that DDS tracks the land area of group homes in Stoneham as DHCD does not receive or have access to this information nor are we aware of another state agency that tracks this information.

Thank you for your attention.

Sincerely,

A handwritten signature in black ink, appearing to read "Leverett Wing", written in a cursive style.

Leverett Wing
Associate Director

cc: Jonathan D. Whitten, Esq,
Richard J. Gallogly, Esq,