



CITY OF SOMERVILLE

Office of Strategic Planning & Community Development

AFFORDABLE HOUSING ACKNOWLEDGEMENT

Property Address: 73 Summer Street Somerville, MA 02143	
Zoning District: MR3	
Applicant: First Summer 73, LLC	
Address: 20 Woodward Street Newton, MA 02461	
Phone: (617) 744-3339	Email: rspeaker@traxboston.com or nick@traxboston.com
Property Owner (if not applicant): SAME	
Address:	
Phone:	Email:

This MEMORANDUM OF UNDERSTANDING ("MOU") is made on this 10th day of June, 2021 by and between the Housing Director of the City of Somerville ("Housing Director"), with an address of OSPCD Housing Division, 50 Evergreen Avenue, City Hall Annex, Somerville, Massachusetts 02145 and First Summer 73, LLC, including its successors and assigns and affiliated entities, (the "Developer") with an address of 20 Woodward Street, Newton, MA 02461 for the residential development at 73 Summer Street ("the Property").

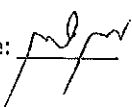
BACKGROUND

The Developer is submitting a Development Review Application to the Inspectional Services Division of the City of Somerville to develop a Residential building type with a total of 27 dwelling units in the Mid-Rise 3 ("MR3") zoning district and is required to provide affordable dwelling units (ADUs) pursuant to Section 12.1 (12.1 Affordable Housing or 8.1 Affordable Housing Overlay District) of the Somerville Zoning Ordinance. The Developer is currently planning a rental (rental/homeownership) project.

AGREEMENT

NOW, THEREFORE, with good and valuable consideration, the receipt and sufficiency of which is acknowledged, the Developer, for itself, and the Housing Division covenant agree as follows:

1. The Developer shall provide 5 total deed restricted ADU(s) and shall pay a fractional buyout equivalent to 0.4 ADUs, pursuant to Section 12.3 Buyouts & Payments of the Somerville Zoning Ordinance. Of the total deed restricted ADUs required, 2 will be priced at Tier 1, 2 will be priced at Tier 2, and 1 will be priced at Tier 3.
2. Any development with thirty (30) or more dwelling units must provide at least twenty percent (20%) of the ADUs with three (3) or more bedrooms. Any fractional number resulting from this calculation is rounded up to the next whole number and regarded as a whole number.
3. The Developer shall agree to and sign an Affordable Housing Implementation Plan ("AHIP"), approved at the discretion of the Housing Director, prior to the issuance of any Building Permit for the Property, in accordance with the Section 12.1 Affordable Housing of the Somerville Zoning Ordinance.

Developer initial here: 

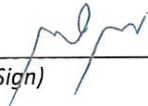
4. The Developer shall pay any authorized fractional buyout to the Somerville Affordable Housing Trust Fund or, alternatively, to the City of Somerville for transfer to a Massachusetts non-profit housing finance corporation, at the discretion of the Director of Housing, prior to the issuance of any Building Permit for the Property, in accordance with the Section 12.3 Buyouts & Payments of the Somerville Zoning Ordinance.
5. The Developer shall execute and record a deed restriction known as an Affordable Housing Restriction limiting the sale, rent, or lease of all ADUs to eligible households in perpetuity with the Middlesex South Registry of Deeds, or filed with the Land Registration Office, in a form approved by the City Solicitor prior to the issuance of any Certificate of Occupancy for the Property.
6. If permitted by the Housing Director's standards for ADUs, the Developer shall either engage, at their own expense, a 3rd party to certify the income eligibility of any household selected for occupancy of an ADU in accordance with 24 CFR 5.609 or provide a fee to the Housing Division for certification services in the event a 3rd party cannot be engaged.
7. The Developer shall agree to and sign a Memorandum of Understanding for the monitoring of compliance to the provisions of the Somerville Zoning Ordinance, all legal agreements, and other standards established by the Director of Housing for rental ADUs prior to the issuance of any Certificate of Occupancy for the Property.
8. The Developer shall agree to and sign an new Affordable Housing Acknowledgement in the following circumstances:
 - a. Following the issuance of any Special Permit subsequent to the date of this MOU authorizing an in-lieu payment instead of providing one (1) or more ADUs.
 - b. Following any action by the review boards that changes the total dwelling unit count for the Property.
 - c. Prior to submitting a revision to a previously approved development review application that includes a change in the total dwelling unit count for the Property.

IN WITNESS WHEREOF, the Developer and the Housing Director have executed this Acknowledgement under seal as of as of the date first written above.

Developer

Yonathan Halperin, Manager

Authorized Representative (Print and Sign)



Date: 06/10/2021

City of Somerville

Housing Director (Print and Sign)



Date: 6.17.21

Property Owner


Yonathan Halperin, Manager

Authorized Representative (Print and Sign)



Date: 06/10/2021

Developer initial here: _____





CITY OF SOMERVILLE

Inspectional Services • Planning Board • Zoning Board of Appeals

CERTIFICATE OF RECEIPT OF REQUIRED MATERIALS BY CITY OF SOMERVILLE HOUSING DIVISION

Development Site Address: 73 Summer Street / Somerville, MA 02143
Applicant Name: FIRST SUMMER 73, LLC

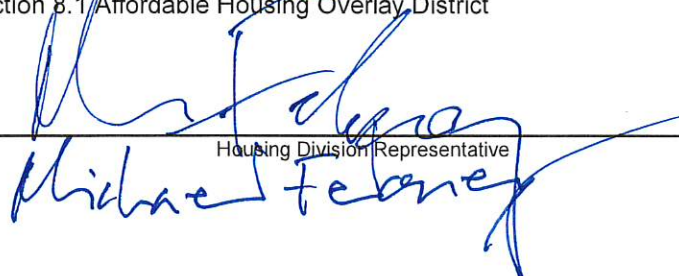
As required by the City of Somerville's Development Review Submittal Requirements, I certify that I have received and approved the following development review materials for the development proposal identified above:

1. Affordable Housing Acknowledgement
2. Development Plans
3. Property Deed

This proposal is subject to:

- Section 12.1 Affordable Housing
 Section 8.1 Affordable Housing Overlay District

Signature:


Housing Division Representative

Date:

6.17.21

