



December 8, 2014

Chair, Kevin Prior  
Member, Joseph Favaloro  
Member, James Kirylo  
Member, Michael Capuano  
Member, Dorothy Kelly Gay  
Member, Gerard Amaral  
93 Highland Avenue  
Somerville, MA 02143

Re: Commitments and conditions accompanying the revised and amended PUD-B  
Master Plan

Dear Honorable Chair Kevin Prior, Members Joseph Favaloro, James Kirylo, Michael Capuano, Dorothy Kelly Gay, Gerard Amaral:

The purpose of this letter is to describe commitments and benefits which Criterion Development Partners (“Criterion”) is prepared to offer the City of Somerville (“the City”) to facilitate and enable Criterion or its successors and assigns to develop 75 units of residential housing in the area referred to as the Cross Street East portion of the Stop & Shop parking lot within the existing PUD-B subject to the satisfaction of the “conditions” set forth below. All conditions must be met at the time of occupancy permit unless stated below.

- A. An occupancy permit shall not issue unless proof of Master Deed and Condominium Documentation for no more than 75 units is provided to the City and all units will be offered for sale.
- B. Criterion shall provide a preliminary Marketing Plan to the City prior to building permit application outlining the efforts it will make to market such units to Somerville residents prior to the condominiums being offered to the general real estate market.
- C. Ten percent of the units will be 3 bedroom units.
- D. Spaces will be provided for each unit on site as part of the purchase price of the units.
- E. Visitor spaces will be provided on site.
- F. The old Harris Street playground (“the Park”) abutting Cross Street East will be renovated for passive uses at the direction and advice of the City and an advisory

C R I T E R I O N   D E V E L O P M E N T   P A R T N E R S

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committee made up of neighbors abutting the property including Connecticut Avenue residents. Additionally, a security cooperation agreement will be developed with the City.

- G. The Park will be maintained through a long term maintenance agreement by Criterion or successor and assigns.
- H. Criterion will convey or cause the transfer of ownership of the building known as the General Insulation Building, located at 24 Cross Street in Somerville, MA to the City.
- I. Criterion will submit the plan that has been developed with the community to limit access to the abutting neighborhood and permanently close the access of Cross Street East at Mystic Avenue as well as make best efforts to address safety concerns existing in the Stop & Shop parking lot.
- J. No vehicular parking will exist or be permitted on the park side of the development.
- K. The height of the building will not exceed 3 stories.
- L. Criterion to use augmented air filtration systems and triple-glazed windows where appropriate to minimize negative impact of proximity to highway.
- M. Criterion will contribute \$25,000.00 to improve lighting and improve pedestrian safety between Mystic Avenue and Assembly Square.
- N. Criterion will make best efforts to ensure that all jobs are made known to Somerville residents at the direction of the City for both construction and post occupancy maintenance and management opportunities.

Conditions to Criterion's Commitments:

For purposes of clarification, Criterion's commitments set forth above are offered if the following conditions are met:

1. Amendment to the PUD-B of the Somerville Zoning Code set forth in Attachment A is duly adopted and will allow the development of described project. No challenge to the validity of the same shall have been made (or in the event such a challenge is made such challenge shall have been finally resolved in favor of such validity).
2. The receipt of a Special permit, design review approval, building permit and any other permits or approvals necessary to construct 75 residential units in accordance with the plans.

Respectfully,

John J. Englert