



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

Maura T. Healey, Governor ♦ Kimberley Driscoll, Lt. Governor

January 25, 2023

Mr. Richard Mucci, Chair  
Winchester Select Board  
71 Mt. Vernon Street, 2<sup>nd</sup> Floor  
Winchester, Massachusetts 01890

Mr. Mario Covino  
87-89 Cross, LLC  
253 Swanton Street  
Winchester, Massachusetts 01890

RE: 87-89 Cross Street, Winchester, Massachusetts  
Determination of Project Eligibility under the Local Initiative Program (LIP)

Dear Messrs. Mucci and Covino:

I am pleased to inform you that your application for project eligibility under the Local Initiative Program (LIP) for the proposed 87-89 Cross Street project has been approved. This approval is based on your application that sets forth a plan for the development of nine rental units. The proposed rents for the LIP units are generally consistent with the standards for affordable housing to be included in a community's Chapter 40B affordable housing stock.

As part of the review process, Department of Housing and Community Development (DHCD) staff has performed an on-site inspection of the proposed project sites. DHCD has made the following findings:

1. The proposed project appears generally eligible under the requirements of LIP, subject to final program review and approval;
2. The site of the proposed project is generally appropriate for residential development;
3. The conceptual plan is generally appropriate for the site on which the project is located;
4. The proposed project appears financially feasible in the context of the Winchester housing market;
5. The initial pro forma for the project appears financially feasible and consistent with cost examination and limitations on profits and distributions on the basis of estimated development costs;
6. The project sponsor and the development team meet the general eligibility standards of LIP;

7. The project sponsor has an executed Purchase and Sale agreement for the site.

The proposed project must comply with all state and local codes not specifically exempted by a comprehensive permit.

*Please provide us with a copy of the comprehensive permit as soon as it is issued.* The DHCD legal office will review the comprehensive permit and other project documentation. Additional information may be requested as is deemed necessary. Following the issuance of the comprehensive permit, the specifics of this project must be formalized in a regulatory agreement signed by the municipality, the project developer, and DHCD prior to starting construction.

As stated in the application, the 87-89 Cross Street project will consist of nine units, two of which will be affordable; all will be eligible for inclusion in the Town's subsidized housing inventory. The affordable units will be marketed and rented to eligible households whose annual income may not exceed 80% of area median income, adjusted for household size, as determined by the U.S. Department of Housing and Urban Development.

Please note that, after reviewing the request and supporting documentation submitted by the Town of Winchester, DHCD has agreed to waive the requirement for an appraisal (Comprehensive Permit Guidelines, Section IV.B.1.b). Please note that under the Comprehensive Permit Guidelines, IV.B.1.b, this project qualifies as an exception to the requirement to submit an as-is appraisal of the property.

The conditions that must be met prior to final DHCD approval include:

1. A final affirmative fair marketing and lottery plan with related forms shall be submitted that reflects LIP requirements including consistency with the *Comprehensive Permit Guidelines, Section III, Affirmative Fair Housing Marketing Plans*;
2. Any changes to the application it has just reviewed and approved, including but not limited to alterations in unit mix, rents, development team, unit design, site plan and financial pro forma reflecting land value, must be approved by DHCD;
3. The project must be organized and operated so as not to violate the state anti-discrimination statute (M.G.L. c151B) or the Federal Fair Housing statute (42 U.S.C. s.3601 et seq.). No restriction on occupancy may be imposed on the affordable unit (other than those created by state or local health and safety laws regulating the number of occupants in dwelling units); and

4. The Town shall submit to DHCD the finalized details of the comprehensive permit.

As the 87-89 Cross Street project nears completion of construction, DHCD staff may visit the site to ensure that the development meets program guidelines.

When the units have received Certificates of Occupancy, the developer must submit to both DHCD and the Winchester Select Board a project cost examination for the comprehensive permit project.

This letter shall expire two years from this date or on January 25, 2025, unless a comprehensive permit has been issued.

We congratulate the town of Winchester and 87-89 Cross, LLC on your efforts to work together to increase the Town's supply of affordable housing. If you have any questions as you proceed with the project, please call Rieko Hayashi at 617-573-1426.

Sincerely,



Catherine Racer  
Director

cc: Brian Szekely, Town Planner  
Beth Rudolph, Acting Town Manager  
David Feigenbaum, Zoning Board of Appeals  
Office of the Chief Counsel, DHCD

Enc.

**RESPONSIBILITY FOR COST CERTIFICATION:**

By your signature below, 87-89 Cross, LLC, acknowledges and accepts this approval letter, including the obligation under law to provide the Department of Housing and Community Development and the town of Winchester with a project cost examination.

Signature: \_\_\_\_\_

Name (print): \_\_\_\_\_

Date: \_\_\_\_\_

*Upon receipt, please make copy of this letter and return a signed copy to Division of Housing Development, Department of Housing and Community Development, 100 Cambridge Street, Boston, MA 02114 ATTN: Local Initiative Program*

87-89 Cross Street, Winchester, Massachusetts

**LOCAL INITIATIVE PROGRAM – COMPREHENSIVE PERMIT**

**Sponsor:**

87-89 Cross, LLC  
253 Swanton Street  
Winchester, MA 01890

**Project Addresses:**

87-89 Cross Street  
Winchester, MA 01890

This project will provide rental opportunities according to the following breakdown:

Type of Unit	# of Units	# of Bdrms.	# of Baths	Gross SF	Utility Allowance	Maximum Rent
Market Units	7	3	2.5	1,700	N/A	\$4,500
LIP Units	2	3	2.5	1,700	\$301	\$1,451
<b>Total Units</b>	9					