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November 20, 2017

**BY HAND and BY EMAIL**

Ms. Nadia Khan  
Newton City Council  
Newton City Hall  
1000 Commonwealth Avenue  
Newton, Massachusetts 02459-1449

RECEIVED  
Newton City Clerk  
2017 NOV 20 PM 1:34  
David A. Olson, CMC  
Newton, MA 02459

Re: Petition #284-17 and Petition #285-17/Langley Montrose LLC  
Request for Change of Zone and Special Permit  
392-396, 400, and 402-404 Langley Road

Dear Nadia,

I am enclosing herewith a revised draft of the Inclusionary Housing Plan dated October 13, 2017, revised November 17, 2017, relative to the above matter. The only change from the prior draft is the addition of clarifying language at the end of the fourth paragraph on page 1.

Please let me know if you have any questions respecting the foregoing.

Sincerely,



Stephen J. Buchbinder

SJB/mer  
enclosure

cc: (By Hand and By Email, w/enclosure)  
Mr. Neil Cronin  
Ms. Jennifer Caira

Langley Terrace Inclusionary Housing Plan 2017 NOV 20 PM 1:35

400 Langley Road, Newton, MA (the "Subject Property") David A. Olson, CMC

October 13, 2017, revised November 17, 2017 Newton, MA 02459

This document is submitted in connection with the Special Permit Application to the City of Newton dated September 11, 2017 by Langley Montrose LLC (the "Developer") for the Subject Property. The Developer has engaged LDS Consulting Group, LLC of 233 Needham Street, Newton, MA to assist with this matter.

As proposed, the subject property will include 18 new residential rental units and replace 2 housing units for a total of 20 rental units. The following sets forth the Developer's proposed Inclusionary Housing Plan in accordance with the City's Inclusionary Zoning Ordinance, Section 5.11 of the Zoning Ordinances (the "Ordinance").

As required by Section 5.11.4 of the Ordinance, the Developer will set aside no fewer than 15% of the residential units as inclusionary units. Therefore, the Developer has proposed that 2 units shall be for households earning at or below 50% of AMI and 2 unit shall be for households earning at or below 80% of AMI, for a total of 4 affordable housing units. This is a total 20% of all residential units, 5% more than required by the statute, and results in a blended rate of no more than 65% AMI as required by the Ordinance. Please see the table below for additional detail as to unit type and affordability:

AMI	Studio	1-Bed	2-Bed	Total
50%	1	1	0	2
80%	0	1	1	2
<b>Total</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>4</b>

The approximate size of these units and location of the units are set forth on the attached plan prepared by Perkins Eastman and dated September 7, 2017. The Developer notes that the size and location of units may change over time. Nevertheless, it is its intent to comply with all Fair Housing Rules and Regulations and evenly disburse the affordable units throughout the building. Should an affordable household occupying an affordable unit become over income, they will have a choice to remain in the unit at the market rate rent. If they remain, then another similar type unit in the building will be designated as affordable. The goal is that all times, the number and type of affordable units in the building shall remain as outlined herein.

The next charts set forth the current income limits by level of affordability as set forth by HUD for the City of Newton which is located in the 2017 Boston-Cambridge-Quincy HUD area ("BCQ").

AMI	1 Person	2 Person	3 Person	4 Person
50%	\$36,200	\$41,400	\$46,550	\$51,700
80%	\$54,750	\$62,550	\$70,350	\$78,150

We have set forth an estimate of the gross rent and rent net of tenant paid utilities based on today's rent limits set forth by HUD for the BCQ and based on the City of Newton utility allowance schedule for high rise units dated October 1, 2016. We have assumed that the utility

2017 Maximum Allowable Rents (IZ Units)				
50%	Avg. Sq. Ft	Gross	UA	Net
<b>Studio</b>	397	\$905	\$109	\$796
<b>1 Bedroom</b>	798	\$970	\$156	\$814
80%	Avg. Sq. Ft	Gross	UA	Net
<b>1-Bedroom</b>	787	\$1,466	\$156	\$1,310
<b>2-Bedroom</b>	1,166	\$1,758	\$227	\$1,531

allowance ("UA") covers the cost of heat, hot water, and electricity that will be paid by the tenant. Rents will be reviewed and approved as part of the Local Action Unit (LAU) application and Regulatory Agreement.

For a household with a Section 8 voucher, the rent and income will be as established by the Newton Housing Authority with the approval of HUD and in accordance with LAU standards.

It is the intent of the Developer that the Inclusionary Housing Units be qualified as "Local Action Units" pursuant to the requirements of the Comprehensive Permit Guidelines of DHCD, and therefore will take all steps necessary to make them eligible to be counted on the City of Newton Subsidized Housing Inventory.

In accordance with Section 5.11.9.B.4, to the extent allowed by the Massachusetts Department of Housing and Community Development ("DHCD"), the Developer will set aside 70% of the IZ units as local preference units.

**Local preference shall be given for qualified applicants:**

1. Any qualified applicants who fall within any of the following equally weighted categories:
  - a. Individuals or families who live in the City;
  - b. Households with a family member who works in the City, has been hired to work in the City, or has a bona fide offer of employment in the City; and
  - c. Households with a family member who attends public school in the City.

Preferences for dwelling units having features that are designed, constructed, or modified to be usable and accessible to people with visual, hearing, or mobility disabilities shall be given to qualified applicants in the following order:

1. First Preference shall be given to households that include a family member needing the features of the unit and having preference under one or more of the three categories listed above (Section 5.11.9.C.2);
2. Then to households that include a family member needing the features of the unit but that do not have a preference under one of the three categories listed in Section 5.11.9.C.2.; and
3. Then to households having preference under one or more of the three categories listed in Section 5.11.9.C.2.

No less than six months prior to the issuance the first certificate of occupancy, the Developer shall finalize the attached Affirmative Fair Marketing and Resident Selection Plan and have it approved by DHCD. The Developer agrees to execute and record a covenant with the Middlesex South Registry of Deeds that limits the rental of affordable units to eligible households in accordance with Section 5.11.9.G.2.

The Developer also agrees to provide an annual compliance report to the City of Newton's Director of Planning and Development.

**Exhibit 1 – Floors Plans Showing Inclusionary Zoning Affordable Unit Locations**

Affordable Units are Designated with an “A”

DRAFT

Exhibit 2 – Affirmative Fair Marketing and Resident Selection Plan

DRAFT