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February 26, 2019

VIA FIRST-CLASS MAIL & E-MAIL

Gregory P. Watson, AICP
Manager of Comprehensive Permit Programs
Massachusetts Housing Finance Agency
1 Beacon Street
Boston, MA 02108

**Re: Project Eligibility Letter (PEL) Application: Cedar Place Apartments
Property: 2 and 3 Burke Lane, Wellesley, MA
Applicant: Cedar Place, LLC**

Dear Mr. Watson:

I am the Chapter 40 B consultant to Cedar Place, LLC, the applicant in connection with the above-noted PEL application. It has come to our attention that Attorney Daniel C. Hill of Hill Law representing Jared Linder has recently filed with your office a letter dated February 22, 2019, commenting on this application (the "Hill Letter"). We now write in response to the Hill Letter to clear up any misapprehensions that the Hill Letter might create.

1. We have not been provided with Attorney Hills January 28, 2019 letter so therefore are unable to comment on it.
2. **Application Discrepancies**
 - a. The applicant and developer is Cedar Place, LLC. Mr. DiSchino is a principal of Cedar Place, LLC.
3. **Parking**
 - a. The development, as submitted had 23 surface parking spaces and 2 garage spaces. The reference to 32 was a mistake. There are two spaces close to the street.
4. **Zoning Waivers**
 - a. The developer can only request waivers based on the existing zoning.
 - b. The set back that is mentioned in on the northern most border of the property, by the commercial parking lot. The developer has specifically sited the building as far from Mr. Linder's property as possible which is why the set back 13 feet and not 20 feet. The existing house is only 11 feet from that same property line.
5. **Developers Experience**
 - a. Approximately the same building is being constructed be the developer's contractor in Northbridge.
 - b. While it is true that Mr. DiSchino has not build a development under M.G. Chapter 40B, this is true of many developers. Therefore, he has assembled

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an experienced team including an architect contractor, site engineer, consultant to complement his development and management expertise.

6. Signature

- a. The hard copy application submitted to MassHousing has Mr. DiSchinos signature.

7. Litigation

- a. Mr. DiSchino disagrees with Mr. Hills characterization that he has left facts out of his application. Mr. DiSchino's reading of the MassHousing form was a narrow one assuming matters being certified were only relevant to the Cedar Place and/or the financing of Cedar Place.
- b. All of the actions with **Central Street Holding LLC and Delanson Circle Holding LLC**, along with all Probate litigation are related to Mr. DiSchino's parents' estate and were initiated by Mr. DiSchino not against him. This is a personally painful, long drawn out family dispute involving 10 beneficiaries and the potential distribution of an \$8M estate that has continued for 9 years. It has nothing to do with Cedar Place and when decided, could enrich Mr. DiSchino's, not harm him.
- c. **Docket 1581CV04874.** Equity Partners was a **third-party manager** and not the owner of the property. A patient of the tenant sued the landlord, tenant and management company. The matter was settled out of court between the insurer for the landlord and the patient in 2017.
- d. **Commerce Bank/Tax Delinquencies.** Mr. DiSchino was a guarantor of a commercial loan made to a college classmate. The loan was paid off by the father of the classmate. Dennis was the Trustee of the DMD Realty Trust, but he was never a beneficiary and **he never held title to the property**. He resigned as trustee in 1997, see the attached resignation. Again, the father of the college classmate stepped in and became the Trustee of the Trust.

In conclusion, the applicant respectfully disagrees with Mr. Hills' assertions and requests that MassHousing proceed to issue a favorable determination of site eligibility based on the project's compliance with all performance standards under the Chapter 40B regulations for assessing site and project eligibility.

Sincerely,
LDS Consulting Group, LLC



By: _____
Lynne D. Sweet, Managing Member

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**RESIGNATION OF TRUSTEE AND APPOINTMENT OF SUCCEEDING
TRUSTEE**

I, Dennis M. Dischino, Trustee of D.M.D. Realty Trust, under Declaration of Trust dated November 6, 1991, and recorded with Middlesex South District Registry of Deeds, Book 21604, Page 567, with the consent of all the beneficiaries, and pursuant to paragraph 5. of the trust, hereby appoint Philip R. Ottaviani, Sr. as successor Trustee.

Having so appointed my successor, I, Dennis M. Dischino resign as Trustee of D.M.D. Realty Trust effective immediately.

Witness my hand and seal this 18 day of August, 1997.

Dennis M. Dischino
Dennis M. Dischino, Trustee of D.M.D. Trust

Dennis M. Dischino
Dennis M. Dischino, Individually

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

August 18 1997

Then personally appeared before me the above-named Dennis M. Dischino, Trustee as aforesaid and individually, and acknowledged the foregoing document to be his free act and deed

Philip R. Ottaviani, Jr.

Philip R. Ottaviani, Jr.
Notary Public

My commission expires: _____

MARGINAL INFORMATION REQUESTED

BOOK 91604 PAGE 567

PHILIP R. OTTAVIANI, JR.

Notary Public

My Commission Expires September 15, 2000