

**CITY OF SOMERVILLE, MASSACHUSETTS
SOMERVILLE CONDOMINIUM REVIEW BOARD**

*JOSEPH A. CURTATONE
MAYOR*

Staff

Hannah Carrillo
Sustainable Neighborhoods Coordinator

Board Members

Elizabeth Janiak
Vikram Kanda
William Medeiros
Patricha Paul
Zachary Zasloff, Chair

**Meeting Minutes
October 7, 2019 Meeting – 6:00 PM
Visiting Nurses Association, 3rd Floor Community Room
259 Lowell St., Somerville, MA 02144**

Board Members Present: Elizabeth Janiak, Vikram Kanda, Patricha Paul, Zachary Zasloff

City staff present: Hannah Carrillo (Sustainable Neighborhoods Initiative Program Coordinator)

Board Chair Zachary Zasloff convened the meeting at 6:00 PM. Chair Zasloff informed the public that the meeting would be recorded. Board Member Paul arrived at 6:19pm.

1. Approval of Meeting Minutes

A motion was introduced and PASSED 3-0 to approve the meeting minutes for the August 21, 2019 and September 5, 2019 meetings.

2. Approval of FY19 Annual Report

A motion was introduced and PASSED 3-0 to approve the FY19 Annual Report. Member Janiak noted a minor typo to the date on which members Kanda and Janiak were sworn in, which stated it was December, 2019 rather than December, 2018. Staff indicated the error would be fixed prior to the dissemination of the document.

3. Approval of Operating Procedures

A motion was introduced and PASSED 3-0 to approve the Operating Procedures for the updated Condominium Conversion Ordinance.

4. New Business – Applications for Preliminary Conversion Permits and Non-Rental Conversion Permits. Board members moved to review each application before the Board.

WARD 5-PRECINCT 1

Application of Erin and Bethany Bracken, owner Erin Bracken representing, seeking a Preliminary Conversion Permit for Unit #1 & a Non-Rental Conversion Permit (as is appropriate for owner-occupied units) for Unit #2 located at 36 Hudson St. The \$600 per unit application fee was paid and no real estate taxes or water bills were owed to the City.

Owner Erin Bracken informed the Board that she and her wife have no plans to relocate at this time or going forward. Regarding Unit 1, the tenant paperwork and all required affidavits have been submitted. No tenant waivers were included. Tenants of Unit 1 have a one year notice period, from **August 25, 2019-August 25, 2020**, and no waiting applies in regard to Unit 2. No master deed or report on the condition of the property have been submitted.

Staff reported that no tenant complaints had been received in regard to the application or property.

On a motion duly made and seconded, it was VOTED 3-0:

To grant a Preliminary Conversion Permit for Unit 1 & a Conditional Non-Rental Conversion Permit for Unit 2 located at 36 Hudson St., conditioned on the submission of the master deed, report on the condition of the property, and verification demonstrating compliance with tenant notice and relocation requirements at a Final Conversion Permit hearing which must be requested by the applicant.

WARD 1 - PRECINCT 3

Application of Barros Properties LLC, Nancy Barros, owner Tony Barros representing, seeking a Non-Rental Conversion Permit for Unit 1 & Unit 2 located at 28 Dana St. The \$600 per unit application fee was paid and no real estate taxes or water bills were owed to the City.

The property had been previously owner-occupied for at least 12 months prior to becoming vacant, and verification of such has been provided. The Board determined that no waiting period applies to either unit. The applicant provided a report on the condition of the property, but has not yet submitted a master deed.

Board member Janiak noted that the property was listed on MLS, but also noted that it was posted a significant amount of time ago likely by the previous owner, so she was ultimately not concerned. Board Chair Zasloff agreed, but did also note for those present that if it was found that an applicant has marketed their units as condominium units for sale prior to receiving at least conditional approval, that is grounds for an application to be denied under the Rules of the updated Ordinance.

Staff reported that no tenant complaints had been received in regard to the application or property. Attorney Mike Cohen (present for another application) asked to speak in favor of the application, noting his support.

On a motion duly made and seconded, it was VOTED 3-0:

To grant a Non-Rental Conversion Permit for Unit 1 & Unit 2 located at 28 Dana St., conditioned on the applicant submitting a master deed.

WARD 7 - PRECINCT 1

Application of John A. Carney, attorney Deborah Howell representing, seeking a Non-Rental Conversion Permit for Unit 1 located at 31 Gorham St. The \$600 per unit application fee was paid and no real estate taxes or water bills were owed to the City.

The property is a legal two-family property, but for the past 10 years it had been used as a single-family, as the owner-occupants removed the second kitchen. The applicant purchased the property from the owner-occupants who subsequently vacated the property. The applicant will convert the property back to a two-family property, and sell both units as condominium units. Verification that the property had been owner-occupied prior to becoming vacant for at least 12 months has been provided. The master deed and report on the condition of the property have also been provided.

There was confusion regarding the amount the applicant would need to pay to convert these units, and an updated check in the amount of \$1,200, rather than \$600, must be provided at a later date. Staff initially only requested \$600, as the property is currently a single-family dwelling. However, given that the property is a legal two-family and the applicant intends to sell both units, it was determined a \$1,200 check was appropriate.

Staff reported that no tenant complaints had been received in regard to the application or property.

On a motion duly made and seconded, it was VOTED 3-0:

To grant a Non-Rental Conversion Permit for Unit 1 and Unit 2 located at 31 Gorham St., conditioned on the applicant submitting an updated check in the amount of \$1,200.

WARD 7 - PRECINCT 3

Application of Steven Troian and Steven Douglass, owners Troian and Douglass representing, seeking Preliminary Conversion Permit for Unit 1 and a Non-Rental Conversion Permit for Unit 2 located at 183-185 Boston Ave. The \$600 per unit application fee was paid and no real estate taxes or water bills were owed to the City.

Board member Paul arrived at 6:19pm.

Mr. Troian explained that when the tenants in Unit 1 vacated, the owners decided that they would move downstairs and sell Unit 2. No waiting period or notice period applies to either unit. No master deed or report on the condition of the property were included with the application.

Staff reported that no tenant complaints had been received in regard to the application or property.

On a motion duly made and seconded, it was VOTED 3-0:

To grant a Preliminary Conversion Permit for Unit 1 and a Non-Rental Conversion Permit for Unit 2 located at 183-185 Boston Ave., conditioned on the applicant submitting a master deed and a report on the condition of the property.

WARD 7 - PRECINCT 1

Application of 50-52 Whitman Street, LLC, Deborah and David Flaschen, owner Deborah Flaschen representing, seeking a Preliminary Conversion Permit for Unit 52 located at 52 Whitman St. The \$600 per unit application fee was paid and no real estate taxes or water bills were owed to the City.

Owner Deborah Flaschen explained that the property had been used for the operations of the non-profit organization 3LPlace, which she founded. Ms. Flaschen explained that initially, Unit 52 was intended to be a dorm for participants of the program. That did not work out however, so the organization decided to rent out Unit 52, and continued to use Unit 50 to operate the business. Unit 50 was always used for commercial purposes, and was never rented.

Tenant paperwork for Unit 52 and all required affidavits were provided. No tenant waivers were included, and the tenants of Unit 52 have a one year notice period, from **August 30, 2019-August 30, 2020**. As Unit 50 was never used for residential purposes it is not subject to the provisions of the Condominium Conversion Ordinance, but the Board agreed to issue a Courtesy Conversion Permit for the unit for accurate record-keeping purposes. That permit may be issued immediately.

Staff reported that no tenant complaints had been received in regard to the application or property.

On a motion duly made and seconded, it was VOTED 4-0:

To grant a Preliminary Conversion Permit for Unit 52 located at 52 Whitman St, conditioned on the submission of the master deed, report on the condition of the property, and verification demonstrating compliance with tenant notice and relocation requirements at a Final Conversion Permit hearing which must be requested by the applicant.

WARD 2 - PRECINCT 1

Application of Roberta Breen, attorney Mike Cohen representing, seeking a Non-Rental Conversion Permit for Unit 1 & Unit 2 located at 68 Newton St. The \$600 per unit application fee was paid and no real estate taxes or water bills were owed to the City.

The property has been owner-occupied by the Breen family for several decades, with Unit 1 still being owner-occupied and Unit 2 being previously owner-occupied prior to becoming vacant. Verification of owner-occupancy was provided. No waiting period applies to either Unit 1 or Unit 2. No master deed or report on the condition of the property has been submitted.

Staff reported that no tenant complaints had been received in regard to the application or property.

On a motion duly made and seconded, it was VOTED 4-0:

To grant a Non-Rental Conversion Permit for Unit 1 & Unit 2 located at 68 Newton St., conditioned on the applicant submitting a master deed and a report on the condition of the property.

The Chair introduced a motion to adjourn the meeting at 6:30 PM, which was seconded and accepted.