

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

*JOSEPH A. CURTATONE
MAYOR*

Staff

Hannah Carrillo
Elizabeth Janiak Sustainable Neighborhoods Coordinator
Vikram Kanda

Board Members

William Medeiros
Patricha Paul
Zachary Zasloff, Chair

**Meeting Minutes
February 24, 2020 Meeting – 6:30 PM
Visiting Nurses Association, 3rd Floor Community Room
259 Lowell St., Somerville, MA 02144**

Board Members Present: Vikram Kanda, William Medeiros and Zachary Zasloff

City staff present: Hannah Carrillo (Staff to Condominium Review Board)

Board Chair Zachary Zasloff convened the meeting at 6:30 PM. Chair Zasloff informed the public that the hearing would be recorded, and welcomed back member Medeiros who had been recovering from a medical procedure.

1. Approval of Meeting Minutes

There was no quorum to approve the December or January minutes due to various absences over the past few hearings. December, January and February minutes will be voted on at the next hearing.

Prior to beginning new business, staff member Hannah Carrillo provided the following update regarding 124 Heath St.-

It has been determined by the Law Department that as written, single-family homes are exempt from having to convert. This will be true until an amendment clarifying the language (to say a single family dwelling that will become one of multiple condo units is not exempt) is approved by the City Council. That amendment and others which have been previously noted are currently pending review before going on a City Council meeting agenda.

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

WARD 2 - PRECINCT 1

Application of 15 Lake Street LLC, Elan Sassoon, John Topalis, Gerry McDonous, attorney Breanna Rolland representing, seeking a Preliminary Conversion Permit for Unit 1 and Unit 2 located at 15 Lake St. The \$600 per unit application fee was paid and no real estate taxes or water bills were owed to the City. The property was purchased vacant in November, 2019. The application for this property stated that the first floor tenant was evicted due to non-payment of

rent and the second floor tenant voluntarily vacated. Hannah noted to attorney Rolland that while the application stated the tenant was evicted for non-payment, the eviction paperwork provided in the application did not say anything to that affect, and asked for clarification. Attorney Rolland stated she was not actually involved, but according to the paperwork she was provided the unit was vacated on or about 8/31/2019 and purchased by Elan Sassoon in November, 2019.

There were no questions from the Board. Chair Zasloff opened the hearing for public comment. The following comments were made:

Frank Ballato- on behalf of former tenant of Unit 1 Maria Cabral who was also present-

Mr. Ballato stated that he believed the former property owners had lied about Maria not paying rent, which made it hard for her to find a new unit. Frank stated that they felt Maria was forced out by the previous property owners Carlos and Virginia Bettencourt.

In response to Frank Ballato's comment, Hannah requested clarification on whether it was the prior owner who conducted the eviction; Mr. Ballato confirmed it was. However, Mr. Ballato informed the Board that he believed the applicant, Elan Sassoon (who was not present), was working with the former owners on the eviction. When asked how he came to believe that, Mr. Ballato stated that he found a Planning Board decision that had all of their names on it. Hannah asked Mr. Ballato to provide documentation that he might have to that effect, and stated that she would look into the matter further, as a one year waiting period applies for both units. Hannah also stated that the CRB does not have any ability to hold the former owners accountable, as they are not the party applying for condominium conversion. CRB staff also informed tenants that they can potentially take legal action against the former owners an unlawful Condo Conversion Eviction.

Yoshir Dyette- former tenant of Unit 2-

Ms. Dyette informed the Board that she was rushed out of her unit and never received her security deposit back. Ms. Dyette stated she had only lived in the unit for a few months and that she had not wanted to vacate the unit. Hannah explained that the Board cannot assist her in getting her security deposit back, but let Ms. Dyette know she would make a referral to the Office of Housing Stability to connect her with legal assistance in seeking return of the deposit.

Hannah informed the Board and tenants that she would follow up on issues raised at the hearing and would provide additional information as warranted during the one year waiting period.

No master deed or report on the condition of the property have been submitted to date.

A one year waiting period applies to both Unit 1 and Unit 2.

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

To grant a conditional Preliminary Conversion Permit for Unit 1 and Unit 2 located at 15 Lake St., conditioned on completion of the required waiting period and submission of the master deed and report on the condition of the property.

WARD 2 - PRECINCT 3

Application of Kimberly Mathai, attorney Breanna Rolland representing, seeking a Preliminary Conversion Permit for Unit 1 & Unit 2 located at 73 Park St. The \$600 per unit application fee was paid and no real estate taxes or water bills were owed to the City. The property was purchased in 1984- Unit 1 is fully tenanted and Unit 2 is vacant. Board member Kanda noted that tenant Walter Stamm did not indicate if they were low-income and requested that Hannah follow up to obtain that information. Hannah also noted that a tenant complaint had been received, but that the tenant was out of town and did not choose to provide a written statement. Hannah informed the Board that she would monitor the situation and provide any additional information that becomes available.

No master deed or report on the condition of the property have been submitted to date.

A one year waiting period applies to Unit 2 and a minimum one year tenant notice period applies to Unit 1.

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

To grant a Preliminary Conversion Permit for Unit 1 and Unit 2 located at 73 Park St., conditioned on completion of the waiting period, tenant requirements, and submission of the master deed and report on the condition of the property.

WARD 1 PRECINCT 2

Application of Appleton Grove, LLC, William and Sabrina Mandell, attorney Frank Privitera representing, seeking a Non Rental Conversion Permit for Unit 1 & Unit 2 located at 1 Lincoln St. The \$600 per unit application fee was paid and no real estate taxes or water bills were owed to the City. The property was purchased from owner-occupants and all required verification has been provided.

No master deed or report on the condition of the property have been submitted to date.

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

To grant a preliminary Non Rental Conversion Permit for Unit 1 and Unit 2 located at 1 Lincoln St., conditioned on submission of the master deed and report on the condition of the property.

WARD 7 PRECINCT 3

Application of Jim Lin and Min Hui Xie, seeking a Preliminary Conversion Permit for Unit 1 & Unit 2 located at 529 Mystic Valley Pkwy. No one appeared at the hearing to represent the application, which was called again at the close of the hearing.

WARD 3 PRECINCT 1

Application of Enzo Orellana and Wesley J. Esser III, attorney Melissa Hagemeister representing, seeking a Non Rental Conversion Permit for Unit 1 & Unit 2 located at 1 Munroe/22 Boston St. The \$600 per unit application fee was paid and no real estate taxes or water bills were owed to the City. The applicants are owner-occupants seeking to sever their ownership. All documents, including Master Deed and a report on the condition of the property have been provided.

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 1 Munroe/22 Boston.

The Chair called the application for 529 Mystic Valley Pkwy. again, but seeing no one, introduced a motion to adjourn the meeting at 6:43 PM, which was seconded and accepted.

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