

**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**

**August 21, 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 stated that the meeting was being recorded.

**1. Approval of Meeting Minutes**

A motion was introduced and PASSED 4-0 to approve the meeting minutes for the June 24, 2019 meeting.

**2. New Business – Applications for Certificates of Exemption and/or Removal Permits**

Board members moved to review each removal permit application before the Board.

**WARD 1-PRECINCT 1**

Application of Bonnie Nessonbaum, owner Bonnie Nessonbaum representing, seeking a Certificate of Exemption for Unit #3 and a Removal Permit for Unit #1 and Unit #2 located at 38 Pinckney St. The \$600 per unit application fee was paid and no real estate taxes or water bills were owed to the City. The owner occupies Unit #3 and has tenants in Unit #1 and Unit #2. The tenant in Unit #2 is disabled, and Ms. Nessonbaum confirmed with the Board that she is aware of the additional protections that tenant is entitled to. Ms. Nessonbaum let the Board know that her intention is to move downstairs, and that the other tenant is potentially interested in purchasing Unit #3. Ms. Nessonbaum informed the Board that she does not intend to do this work soon, but wants to keep her options open. No additional materials were included in 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 4-0:

To grant a Certificate of Condominium Review Board Approval for a Certificate of Exemption for Unit #3 and a Removal Permit for Unit #1 and Unit #2 located at 38 Pinckney St., conditioned on the applicant submitting a master deed and a report on the condition of the property.

WARD 3 - PRECINCT 3

Application of Ji Long Liu, owner Ji Long Liu representing, seeking a Certificate of Exemption for Unit #1 located at 9 Porter St. The \$600 per unit application fee was paid and no real estate taxes or water bills were owed to the City. This is a single-family home that is currently owner-occupied and will be converted to a three unit property in the future. No additional materials were included in the application.

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

To grant a Certificate of Condominium Review Board Approval for a Certificate of Exemption for Unit #1 located at 9 Porter St., conditioned on the applicant submitting a master deed and a report on the condition of the property.

WARD 7 - PRECINCT 1

Application of Ji Long Liu, owner Ji Long Liu representing, seeking a Removal Permit for Unit #1 located at 1006 Broadway. 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 March, 2019 as a single family property and will be converted to a three unit property. No additional materials were included in 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 4-0:

To grant a Certificate of Condominium Review Board Approval for a Removal Permit for Unit #1 located at 1006 Broadway, conditioned on the applicant submitting a master deed and a report on the condition of the property.

WARD 4 - PRECINCT 3

Application of Ocean Realty, LLC, owner Yinhai Yang representing, seeking a Removal Permit for Unit #1 and Unit #2 located at 17 Fremont 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, 2017. A third unit is also being added to the property. No additional materials were included in 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 4-0:

To grant a Certificate of Condominium Review Board Approval for a Removal Permit for Unit #1 and Unit #2 located at 17 Fremont St., conditioned on the applicant submitting a master deed and a report on the condition of the property.

WARD 6 - PRECINCT 3

Application of 18 Irving Street, LLC, attorney Cody Zane representing, seeking a Removal Permit for Removal Permit for Unit #1 and Unit #2 located at 18 Irving St. The \$600 per unit

application fee was paid and no real estate taxes or water bills were owed to the City. Board member Kanda noted that the units were listed for sale and under contract on MLS. Attorney Zane explained that one unit was under contract with a family member and the other listing was an error. Chair Zasloff noted that under the updated Ordinance this was a deniable action, as units are not to be marketed as for sale prior to receiving preliminary approval from the Board. Attorney Zane said he understood. The property was purchased vacant in June, 2018. Materials included with the application were:

- Engineer/Architect's Report

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 Certificate of Condominium Review Board Approval for a Removal Permit for Unit #1 and Unit #2 located at 18 Irving St., conditioned on the applicant submitting a master deed.

### WARD 1 - PRECINCT 3

Application of Lauro O. Da Silva & Zelia I.C. Silva, attorney Edward Wheeler representing, seeking a Certificate of Exemption for Units 1-4 located at 242-242R Broadway. 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 May, 2019 from owner-occupants who vacated at the time of sale. Materials included with the application were:

- Master Deed
- Engineer/Architect's Report

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 Certificate of Exemption for Units 1-4 located at 242-242R Broadway.

### WARD 4 - PRECINCT 1

Application of Jose R. DaCova & Luiza F. DaCova, developer and buyer Jason Santana representing, seeking a Removal Permit for Unit #1 located at 87 Jaques St. The \$600 per unit application fee was paid and no real estate taxes or water bills were owed to the City. Mr. Santana informed the Board that he was closing on this property this week and is taking care of the conversion on behalf of the current owners. This is a single family home and Mr. Santana will be adding two units. Materials included with the application were:

- Master Deed
- Engineer/Architect's Report

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 Removal Permit for Unit #1 located at 87 Jaques St.

WARD 1- PRECINCT 1

Application of Sonam Dorje & Karma Sichoe, developer Jason Santana representing, seeking a Certificate of Exemption for Unit #1 located at 63 Franklin 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 currently owner-occupied and the construction of an additional unit is planned for the property. Materials included with the application were:

- Master Deed
- Engineer/Architect's Report

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 Certificate of Exemption for Unit #1 located at 63 Franklin St.

WARD 1 - PRECINCT 2

Application of Leonard J. DiCarlo, developer Jason Santana representing, seeking a Removal Permit for Unit #1 located at 32 Glen 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 vacant for many years and is currently a single family property which will be converted to a 7 unit condominium. The Board inquired about the configuration of the property once the construction is completed, so Mr. Santana explained how the units would be situated. Materials included with the application were:

- Master Deed
- Engineer/Architect's Report

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 Removal Permit for Unit #1 located at 32 Glen St.

WARD 2 - PRECINCT 1

Application of Louis Garcon & Yvrose Merzeus, developer Jason Santana representing, seeking a Removal Permit for Unit #1 and Unit #2 located at 14 Carlton 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 June, 2019. Materials included with the application were:

- Master Deed
- Engineer/Architect's Report

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 Removal Permit for Unit #1 and Unit #2 located at 14 Carlton St.

WARD 2 - PRECINCT 1

Application of Sandra Mazzola, developer Jason Santana representing, seeking a Removal Permit for Unit #1 and Unit #2 located at 13 Quincy 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 June, 2019. Materials included with the application were:

- Master Deed
- Engineer/Architect's Report

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 Removal Permit for Unit #1 and Unit #2 located at 13 Quincy St.

WARD 3 - PRECINCT 1

Application of Christopher Reichert, Alicia Amaral representing, seeking a Removal Permit for Unit #1 and a Certificate of Exemption for Unit #2 & Unit #3 located at 7 Bigelow St. The \$600 per unit application fee was paid and no real estate taxes or water bills were owed to the City. Unit #1 is currently tenanted, and Mr. Reichert resides in Unit #2 and Unit #3. Mr. Reichert has no intention at this time of terminating the tenancy. Ms. Amaral informed the Board that Mr. Reichert is seeking conversion to keep his options open. No additional materials 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 4-0:

To grant a Certificate of Condominium Review Board Approval for Unit #1, Unit #2 & Unit #3 located at 7 Bigelow St., conditioned on the applicant submitting a master deed and a report on the condition of the property.

WARD 5 - PRECINCT 3

Application of Alicia Amaral, Alicia Amaral representing, seeking a Certificate of Exemption for Unit #2 and a Removal Permit for Unit #1 located at 139 Hudson St. The \$600 per unit application fee was paid and no real estate taxes or water bills were owed to the City. Unit #2 is currently owner-occupied and Unit #1 is fully tenanted. Ms. Amaral stated that she understands the rights afforded to her tenants and does not at this time have an intention to sell. Board member Paul noted that one of the tenants indicated they would be interested in purchasing their unit, to which Ms. Amaral replied that she hadn't realized that, but would be happy if that did in fact occur. No additional materials were included in 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 4-0:

To grant a Certificate of Condominium Review Board Approval for Unit #1 & Unit #2 located at 139 Hudson St., conditioned on the applicant submitting a master deed and a report on the condition of the property.

WARD 3 - PRECINCT 2

Application of David Giangrande, attorney Anne Vigorito representing, seeking a Removal Permit for Unit #1, Unit #2 & Unit #3 located at 93 Central St. The \$600 per unit application fee was paid and no real estate taxes or water bills were owed to the City. Prior to the meeting, tenants at this property had informed Staff that there was a mold issue in their unit that had gone unaddressed and that they were concerned for their health. Tenants were also worried they would not receive the relocation payment the owner had said they would provide, as Mr. Giangrande had asked them to sign a new lease that did not mention the relocation payment which they did not feel comfortable signing. Staff did inform the tenants and the Board that a new lease was not necessary in this situation.

During the meeting however, Staff received an email from the tenant explaining that Mr. Giangrande had come to the unit around 5:00pm that day to address the mold situation and provide clarity regarding the relocation payment. Board member Janiak asked for clarification regarding what was occurring in each unit as the unfolding circumstances made them challenging to follow. Staff clarified that the tenants in Unit #3 had already vacated their unit, tenants in Unit #2 were going to stay for the full year's notice and not receive and relocation payment, and tenants in Unit #1 would be vacating in December, 2019 and will be receiving a relocation payment. None of the tenants are low-income, elderly or disabled. Board members expressed the view that the owner needed to be held accountable for addressing the mold issue, and accordingly requested that affidavits and a mold mitigation plan be submitted within 10 business days of this hearing. No additional materials were included in the application.

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

To grant a Certificate of Condominium Review Board Approval for Unit #1, Unit #2 & Unit #3 located at 93 Central St, conditioned on the applicant submitting affidavits from both the owner and tenant attesting to the fact that the mold issue was addressed and supplemental information informing the Board of what mold mitigation steps were taken to resolve the situation, a master deed and a report on the condition of the property.

WARD 1 - PRECINCT 3

Application of 3 Royce Place LLC, Jeronimo Almeida, Manager, attorney Anne Vigorito representing, seeking a Removal Permit for Unit #1, Unit #2 & Unit #3 located at 3 Royce Place. 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, 2017. No additional materials 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 4-0:

To grant a Certificate of Condominium Review Board Approval for Unit #1, Unit #2 & Unit #3 located at 3 Royce Place, conditioned on the applicant submitting a master deed and a report on the condition of the property.

WARD 1 - PRECINCT 1

Application of 33 Pinckney Street LLC, Jeronimo Almeida, Manager, attorney Anne Vigorito representing, seeking a Removal Permit for Unit #1, Unit #2 & Unit #3 located at 33 Pinckney 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 April, 2018. No additional materials were included in 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 4-0:

To grant a Certificate of Condominium Review Board Approval for Unit #1, Unit #2 & Unit #3 located at 33 Pinckney St., conditioned on the applicant submitting a master deed and a report on the condition of the property.

WARD 1 - PRECINCT 3

Application of Matos Group, LLC, Jeronimo Almeida, Manager, attorney Anne Vigorito representing, seeking a Removal Permit for Unit #1 located at 108 Gilman 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, 2018 as a single family and will be converted to a two-family property. No additional materials were included in 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 4-0:

To grant a Certificate of Condominium Review Board Approval for Unit #1 located at 108 Gilman St., conditioned on the applicant submitting a master deed and a report on the condition of the property.

WARD 2 - PRECINCT 1

Application of Cecil F. Adjetey, attorney Anne Vigorito representing, seeking a Removal Permit for Unit #2 and Unit #3 and Certificate of Exemption for Unit #1 located at 50 Mansfield St. The \$600 per unit application fee was paid and no real estate taxes or water bills were owed to the City. Unit #1 is owner-occupied and tenant paperwork was provided for all tenants in Unit #2 and Unit #3, all of whom have moved back to Canada. No additional materials were included in 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 4-0:

To grant a Certificate of Condominium Review Board Approval for Unit #1, Unit #2 and Unit #3 located at 50 Mansfield St., conditioned on the applicant submitting a master deed and a report on the condition of the property.

WARD 7 - PRECINCT 2

Application of Eric J. Silva, attorney Anne Vigorito representing, seeking a Removal Permit for Unit #1, Unit #2 & Unit #3 located at 1252 Broadway. The \$600 per unit application fee was paid and no real estate taxes or water bills were owed to the City. The property is fully tenanted and tenant paperwork and affidavits have been provided. No additional materials were included in 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 4-0:

To grant a Certificate of Condominium Review Board Approval for Unit #1, Unit #2 & Unit #3 located at 1252 Broadway, conditioned on the applicant submitting a master deed and a report on the condition of the property.

WARD 2 - PRECINCT 2

Application of Edward Teckle Smith, attorney Anne Vigorito representing, seeking a Removal Permit for Unit #1, Unit #2 and Unit #3 located at 28 Calvin St. Upon purchase, the owner occupied two of the three units and rented the third. Tenant paperwork has been provided and the owner intends to continue occupying two of the units. No additional materials were included in 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 4-0:

To grant a Certificate of Condominium Review Board Approval for Unit #1, Unit #2 and Unit #3 located at 28 Calvin St., conditioned on the applicant submitting a master deed and a report on the condition of the property.

WARD 2 - PRECINCT 2

Application of 2 Adrian Holdings, LLC, attorney Anne Vigorito representing, seeking a Removal Permit for Unit #1 and Unit #2 located at 2-4 Adrian 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 fully occupied and all tenants will be vacating on or before July, 2020. Board member Paul inquired as to why the tenants in Unit #1 who identified as low-income were not staying the full two years. Staff informed the Board that contact was made with the tenants who indicated that they were aware of their rights and were fine vacating in July, 2020. Staff let the tenants know they were entitled to a relocation payment as well. The Board requested that Staff follow up with tenants in Unit #2 who did not indicate whether or not they were low-income, and to confirm that Unit #1 fully understands the rights afforded to them. No additional materials were included in 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 4-0:

To grant a Certificate of Condominium Review Board Approval for Unit #1 and Unit #2 located at 2-4 Adrian St., conditioned on the applicant submitting a master deed, a report on the condition of the property, and verification of any required relocation payment having been made.

### WARD 5 - PRECINCT 3

Application of Frank Marinello, attorney Anne Vigorito representing, seeking a Certificate of Exemption for Unit #1 and Unit #2 located at 12 Williams Court. The \$600 per unit application fee was paid and no real estate taxes or water bills were owed to the City. The property was occupied by family members of the owner. Board member Paul noted that the same owner had claimed owner-occupancy for a previous application as well. Attorney Vigorito stated she believed that property was occupied with family members as well, to which Board Chair Zasloff asked for an explanation of the occupancy. The Board discussed whether or not family who is not paying rent, but is occupying a unit constitutes an 'owner occupant', and whether or not this distinction actually mattered. Staff noted that for practical purposes it was a moot point, but for data-keeping purposes there was a difference. The Board determined that whatever permit is granted should accurately reflect the situation, and thus a Removal Permit was appropriate in this case rather than a Certificate of Exemption. No additional materials were included in the application. Attorney Vigorito began to ask the Board questions regarding the updated Ordinance, to which Staff responded that this was not the appropriate forum for such discussion and that she was welcome to direct any questions she might have to Staff following the meeting. Staff also noted that the information being sought was posted to the Condominium Review Board website.

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 Certificate of Condominium Review Board Approval for a Removal Permit for Unit #1 and Unit #2 located at 12 Williams Court, conditioned on the applicant submitting a master deed and a report on the condition of the property.

### WARD 2 - PRECINCT 2

Application of Ronald and Emily Axelrod, attorney Colleen Court representing, seeking a Removal Permit for Unit 54 and 54R located at 54 Dane St. The \$600 per unit application fee was paid and no real estate taxes or water bills were owed to the City. The last tenants vacated as of August, 2018 and tenant paperwork has been provided. Materials included with the application were:

- Engineer/architect's report
- Master Deed

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 Removal Permit for Unit 54 and 54R located at 54 Dane St.

WARD 6 - PRECINCT 1

Application of RJM Development, LLC, attorney John Masciarelli representing, seeking a Removal Permit for Unit #1, Unit #2 & Unit #3 located at 286 Summer 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 September, 2018. Board member Janiak noted that the property was listed for sale on MLS. Chair Zasloff explained that applicants needed to go before the Board and obtain at least conditional approval prior to marketing any condo units for sale on MLS, and noted it is inaccurate to represent to potential buyers that a condo is available for purchase prior to securing approval to convert the property to condominium ownership. Attorney Masciarelli informed the Board that he had in fact informed his client of this and will not allow it to happen again going forward. Materials included with the application were:

- Engineer/architect's report
- Master Deed

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 Removal Permit for Unit #1, Unit #2 & Unit #3 located at 286 Summer St.

WARD 5 - PRECINCT 1

Application of New Color Norwood Street, LLC, attorney Nicole Burns representing, seeking a Removal Permit for Unit #1 & Unit #2 located at 17 Norwood Ave. 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 September, 2018. No additional materials were included in 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 4-0:

To grant a Certificate of Condominium Review Board Approval for Unit #1 & Unit #2 located at 17 Norwood Ave., conditioned on the applicant submitting a master deed and a report on the condition of the property.

WARD 3 - PRECINCT 2

Application of 137 Summer Street, LLC, attorney Cody Zane representing, seeking a Removal Permit for Unit #1, Unit #2 & Unit #3 located at 137 Summer 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, 2018. Not additional materials 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 4-0:

To grant a Removal Permit for Unit #1, Unit #2 & Unit #3 located at 137 Summer 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 8:15 PM, which was seconded and accepted.