

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

*JOSEPH A. CURTATONE
MAYOR*

Staff

Hannah Carrillo
Sustainable Neighborhoods Coordinator

Board Members

Daniel Maltzman
William Medeiros
Marlene Smithers
Zachary Zasloff

Meeting Minutes

August 7, 2018 Meeting – 6:00 PM

Visiting Nurses Association, 3rd Floor Community Room
259 Lowell St., Somerville, MA 02144

Board Members Present: Dan Maltzman, William Medeiros, Zachary Zasloff

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

Board Chair Zachary Zasloff convened the meeting at 6:00 PM and announced that the meeting was being recorded for meeting minute purposes. Board Chair Zasloff explained that the meeting had been rescheduled from July 30th, 2018 due to insufficient notice inadvertently having been given, as physical notice of the meeting was not posted 48 hours prior to the meeting.

1. Approval of Meeting Minutes

A motion was introduced and PASSED 3-0 to approve the meeting minutes for the June 25, 2018 meeting.

2. Board Vote on Approval of Recommendation to Increase the Application Fee by \$100

City staff Hannah Carrillo introduced this item and explained that during the FY19 budgeting process, it was recommended that the application fee for the condominium conversion application be raised by \$100. Board Chair Zasloff expressed interest in the details that lead to the recommendation for the application fee increase. Chair Zasloff stated that he believed the fee should be raised even higher in order to capture funds directly from developers, and asked if a further increase was possible if the Board voted not to approve the recommendation at this time.

Staff explained that the application fee must be tied to the cost of staffing the board, which is the basis for the figure. Staff also explained that as the FY19 budgeting process had come to a close, no further increase could be considered until next year (even if a further increase were found to be permitted). The Chair expressed his support for increasing the fee in the amount, but requested information regarding the calculation and decision-making process. Staff let the Board know that she would follow up with more information regarding how the decision came to be and how the fee is determined.

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

To approve the increase in the Condominium Conversion Application fee by \$100, effective immediately.

3. New Business – Applications for Certificates of Exemption and/or Removal Permits
Board members moved to review each removal permit application before the Board.

WARD 4-PRECINCT 1

Application of 15-17 Melville Rd., LLC, attorney Cody Zane representing, seeking a Removal Permit for Unit #1 and Unit #2 located at 15-17 Melville Rd. The \$500 per unit application fee was paid and no real estate taxes or water bills were owed to the City. The owner occupants vacated the property at the time of sale in November, 2017. 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 3-0:

To grant a Certificate of Condominium Review Board Approval for Unit #1 and Unit #2 located at 15-17 Melville Rd., conditioned on the applicant submitting a Master Deed.

WARD 1 - PRECINCT 3

Application of 69 Rush St., LLC, attorney Cody Zane representing, seeking a Removal Permit for Unit #1 and Unit #2 located at 69 Rush St. The \$500 per unit application fee was paid and no real estate taxes or water bills were owed to the City. The owner occupants vacated the property at the time of sale in November, 2017. 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 3-0:

To grant a Certificate of Condominium Review Board Approval for Unit #1 and Unit #2 located at 69 Rush St., conditioned on the applicant submitting a Master Deed.

WARD 1 - PRECINCT 3

Application of 84 Flint St., LLC, attorney Cody Zane representing, seeking a Removal Permit for Unit #1 and Unit #2 located at 84 Flint St. The \$500 per unit application fee was paid and no real estate taxes or water bills were owed to the City. The owner occupants vacated the property at the time of sale in February, 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 3-0:

To grant a Certificate of Condominium Review Board Approval for Unit #1 and Unit #2 located at 84 Flint St., conditioned on the applicant submitting a Master Deed.

WARD 1 - PRECINCT 1

Application of 86 Franklin St., LLC, attorney Matthew Spang representing, seeking a Removal Permit for Unit #1 and Unit #2 located at 86 Franklin St. The \$500 per unit application fee was paid and no real estate taxes or water bills were owed to the City. The property was purchased vacant January, 2017. The Engineer/architect’s report and Master deed were not 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 Certificate of Condominium Review Board Approval for Unit #1 and Unit #2 located at 86 Franklin St., conditioned on the applicant submitting an Engineer/architect's report and Master Deed.

WARD 3 - PRECINCT 2

Application of 61R Prescott St., LLC, attorney Matthew Spang representing, seeking a Removal Permit for Unit #1 and Unit #2 located at 61R Prescott St. The \$500 per unit application fee was paid and no real estate taxes or water bills were owed to the City. The property was purchased vacant December, 2017. The Engineer/architect's report and Master deed were not 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 Certificate of Condominium Review Board Approval for Unit #1 and Unit #2 located at 61R Prescott St., conditioned on the applicant submitting an Engineer/architect's report and Master Deed.

WARD 1 - PRECINCT 1

Application of Urban Multifamily, LLC, attorney Melissa Hagemeister representing, seeking a Removal Permit for Unit #1 and Unit #2 located at 70 Glen St. The \$500 per unit application fee was paid and no real estate taxes or water bills were owed to the City. The property was purchased vacant December, 2016. 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 3-0:

To grant a Removal Permit for Unit #1 and Unit #2 located at 70 Glen St.

WARD 6 - PRECINCT 3

Application of David J. Giller, attorney Melissa Hagemeister representing, seeking a Removal Permit for Unit #1 and Unit #2 located at 80 Powder House Blvd. The \$500 per unit application fee was paid and no real estate taxes or water bills were owed to the City. Both units are currently occupied and will remain tenanted until the end of the lease term, August 31st, 2018. All tenant documents were provided and all tenants have agreed to vacate by the 31st. 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 3-0:

To grant a Removal Permit for Unit #1 and Unit #2 located at 80 Powder House Blvd.

WARD 2 - PRECINCT 2

Application of 330 Washington Somerville, LLC, attorney Nicole Starck representing, seeking a Removal Permit for Unit #1 and Unit #2 located at 330 Washington St. The \$500 per unit application fee was paid and no real estate taxes or water bills were owed to the City. The property was purchased vacant May, 2017. 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 3-0:
To grant a Removal Permit for Unit #1 and Unit #2 located at 330 Washington St.

WARD 7 - PRECINCT 3

Application of 94 Conwell Ave, LLC, owner John Burns IV representing, seeking a Removal Permit for Unit #1 located at 94 Conwell St. The \$500 per unit application fee was paid and no real estate taxes or water bills were owed to the City. The property owner has already been before the Board to convert Unit #2 and Unit #3, and is now finishing the process as the last tenant vacated Unit #1 on July 1st, 2018. The owner paid each tenant \$7,000 for relocation expenses. The Engineer/architect's report and Master deed were not 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 Certificate of Condominium Review Board Approval for Unit #1 located at 94 Conwell Ave., conditioned on the applicant submitting Engineer/architect's report and Master Deed.

WARD 4 - PRECINCT 1

Application of East Residence Inc., Xiao Hua Li representing, seeking a Removal Permit for Unit #1 and Unit #2 located at 79 Derby St. The \$500 per unit application fee was paid and no real estate taxes or water bills were owed to the City. The property was purchased vacant April, 2017. 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 3-0:
To grant a Certificate of Condominium Review Board Approval for Unit #1 and Unit #2 located at 79 Derby St., conditioned on the applicant submitting a Master Deed.

WARD 5 - PRECINCT 1

Application of The First Rock, LLC, attorney Frank Dardeno representing, seeking a Removal Permit for Unit #1, Unit #2, Unit #3 and Unit #4 located at 446-448 Medford St. The \$500 per unit application fee was paid and no real estate taxes or water bills were owed to the City. The property was purchased vacant December, 2016. 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 3-0:
To grant a Removal Permit for Unit #1 and Unit #2 located at 446-448 Medford St.

WARD 5 - PRECINCT 1

Application of Vincent Beaudet, attorney Anne Vigorito representing, seeking a Removal Permit for Unit #1 located at 94 Albion St. The \$500 per unit application fee was paid and no real estate taxes or water bills were owed to the City. The property was purchased vacant June, 2018. The Engineer/architect's report and Master deed were not 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 Certificate of Condominium Review Board Approval for Unit #1 and Unit #2 located at 94 Albion St., conditioned on the applicant submitting Engineer/architect's report and Master Deed.

WARD 2 - PRECINCT 1

Application of Somerville Millbrook Associates, LLP, attorney Melissa Hagemeister representing with Kevin Longo from Berkeley Investments present as well, seeking Removal Permits for Units: 101, 102, 103, 104, 105, 208, 209, 214, 307, 310, 401, 408, 409, 413, 414, 506, 507, 509, 605, 611, 613, 706 and 708 located at 9 Medford St. The \$500 per unit application fee was paid and no real estate taxes or water bills were owed to the City. Attorney Hagemeister explained that the 15 affordable inclusionary units are included in this application, and that all of the inclusionary tenants in question have signed and submitted the written agreement which has been agreed upon by all parties involved- the City, Somerville Community Corporation (SCC), Cambridge and Somerville Legal Services (CASLS), Berkeley Investments and the Millbrook Tenant Association. Attorney Hagemeister also explained that tenants can either buy their units now from Berkeley Investments or later from SCC, but that either way the prices will be fixed for the next five years.

Board Chair Zasloff asked what happens if the tenants cannot buy after five years, to which Attorney Hagemeister explained that tenants were free to continue to rent their units for as long as they remain eligible under the Inclusionary Zoning Ordinance if they are unable or do not wish to purchase their units. Chair Zasloff asked Danny LeBlanc, Executive Director of SCC, if it was their intention to provide assistance to tenants looking to purchase their units, to which Mr. LeBlanc responded that they would to the extent possible. He further explained that the primary goal was to prevent displacement and ensure that the 15 affordable units remained affordable, which has been achieved.

Chair Zasloff stated that everyone should be commended for their efforts, and announced that the public comment period would begin.

Michael Gervais, inclusionary tenant in unit #102, spoke in favor of the condominium conversion. Mr. Gervais explained that many of those involved including Susan Hegel, Ellen Shachter, Kelly Donato and Kevin Longo have been very helpful and patient throughout this process and that everyone moved quickly to ensure the best possible outcome for all parties.

Susan Hegel, an attorney at CASLS, spoke in favor of the condominium conversion. Attorney Hegel stated that the process had been collaborative and transparent, and that the result is beneficial to the tenants residing in the 15 affordable units. She did stress however, the importance of maintaining rental stock in the City, as it is critical for low-income residents. On a motion duly made and seconded, it was VOTED 3-0:

To grant a Removal Permit for Units: 101, 102, 103, 104, 105, 208, 209, 214, 307, 310, 401, 408, 409, 413, 414, 506, 507, 509, 605, 611, 613, 706 and 708 located at 9 Medford St.

The Chair introduced a motion to adjourn the meeting at 6:50 PM, which was seconded and accepted.