



City of Somerville, Massachusetts *Condominium Review Board*

Katjana Ballantyne, Mayor

Monday, May 20, 2024

6:00 pm.

Staff Board Member

Morena Zelaya

Staff Liaison & Housing Policy Coordinator

Board Members

Zachary Zasloff, Chair

Kate Byrne, Vice-chair

Elizabeth Champion

Alix Simeon

Jennifer Tsolas

Meeting Minutes

May 20, 2024 – 6:00 PM

Virtual Hearing

Board Members present: Kate Byrne; Alix Simeon; Jennifer Tsolas

Staff present: Morena Zelaya

Vice-chair Byrne convened the meeting at 6:00 PM. She read the following information aloud: Pursuant to Chapter 107 of the Acts of 2022, this meeting of the Condominium Review Board will be conducted via remote participation. We will post an audio recording, audio-video recording, transcript, or other comprehensive record of these proceedings as soon as possible after the meeting on the City of Somerville website and local cable access government channels

CONDO REVIEW BOARD MEETING AGENDA

1. MEETING CALL TO ORDER

The meeting was called to order with a call for attendance made by Chair Zasloff.

Responses were as follows:

Chair Zasloff	Absent
Vice-chair Byrne	Present
Member Champion	Absent
Member Simeon	Present
Member Tsolas	Present

With three in attendance there was a quorum, and the meeting was called to order.

1. CORRECTIONS

WARD 4 PRECINCT 3

19 Fenwick Street

Correction of unit numbers for those granted Final Permits from Unit #2, Unit #3, & Unit #4 to Unit #1, Unit #2, & Unit #3. Attorney Mark Sheehan attended as representative for the applicant, and he informed the board that there had been an error on the previously submitted application and subsequently on the final permits that had been issued. He was before the board in order for corrected permits to be issued.

Vice-chair Byrne opened the floor to the Board; seeing none, the floor was closed.

Vice-chair Byrne opened the floor to public comment; seeing none, the floor was closed.

On a motion duly made a roll call vote was called and it was voted 3-0:

Vice-chair Byrne – yes

Member Simeon- yes

Member Tsolas- yes

To correct the unit numbers for the Final Permits that had been granted at 19 Fenwick Street from Unit #2, Unit #3, & Unit #4 to Unit #1, Unit #2, & Unit #3.

2. NEW BUSINESS

APPLICATIONS FOR FINAL/COURTESY CONDOMINIUM CONVERSION PERMITS

WARD 6 PRECINCT 1

111 Elm Street Unit #2

Application of Marc & Angela Abrams. Seeking a Courtesy Permit for Unit #2 at 111 Elm Street. Attorney Mark Sheehan attended as representative for the applicant, and he informed the board that the final required documents had been submitted and that they were seeking the final permit as a result.

Vice-chair Byrne opened the floor to the Board; seeing none, the floor was closed.

Vice-chair Byrne opened the floor to public comment; seeing none, the floor was closed.

On a motion duly made a roll call vote was called and it was voted 3-0:

Vice-chair Byrne – yes

Member Simeon- yes

Member Tsolas- yes

To grant a Courtesy Permit for Unit #2 at 111 Elm Street.

WARD 5 PRECINCT 2

37 Teele Avenue

Application of Estia Properties LLC, Oliver Wahnschafft & Rachel Zapanalidou. Seeking a Final Permits for Unit # 1 & Unit #2 at 37 Teele Avenue. Attorney Mark Sheehan attended to speak on the application. He stated that the outstanding documentation, the master deed and property condition report, had now been submitted and that they were seeking the final conversion permit.

Vice-chair Byrne opened the floor to the Board; seeing none, the floor was closed.

Vice-chair Byrne opened the floor to public comment; seeing none, the floor was closed.

On a motion duly made a roll call vote was called and it was voted 3-0:

Vice-chair Byrne – yes

Member Simeon- yes

Member Tsolas- yes

To grant Final Permits for Unit # 1 & Unit #2 at 37 Teele Avenue.

WARD 5 PRECINCT 2

61 Hudson Street

Application of Victor Zilbershot. Seeking a Final Conversion permit for Unit #1 & Unit #2 at 61 Hudson Street. Mike Cohen attended as representative for the applicant. He stated that the final items necessary, the master deed and property condition report, had been submitted to the board.

Vice-chair Byrne opened the floor to the Board; seeing none, the floor was closed.

Vice-chair Byrne opened the floor to public comment; seeing none, the floor was closed.

On a motion duly made a roll call vote was called and it was voted 3-0:

Vice-chair Byrne – yes

Member Simeon- yes

Member Tsolas- yes

To grant a Final Conversion permit for Unit #1 & Unit #2 at 61 Hudson Street.

a. APPLICATIONS FOR PRELIMINARY CONDOMINIUM CONVERSION PERMITS

WARD 7 PRECINCT 1

27-29 Kingston Street

Application of Rachel Brailove, Peter DeMarco & Ellen Botshon. Seeking a Preliminary Non-Rental Conversion Permit Unit #2 & Unit #3 and a Preliminary Rental Conversion Permit for Unit #1 at 27-29 Kingston St. Attorney Matthew Mantalos attended as representative for the applicants. He informed the board that the property is a three-unit property where two of the units are occupied tenants who had purchased the unit along with a third person (these are the three listed applicants). The third unit had previously been rented but those tenants vacated prior to the sale and they have submitted a letter in support of the conversion. He listed the items included with the application for both permits.

Vice-chair Byrne opened the floor to the Board; Member Tsolas asked for more detail on the tenants who had vacated. Attorney Mantalos responded that those tenants had purchased a unit in Cambridge and vacated a month prior to the sale.

Vice-chair Byrne confirmed that the third owner understood the third unit would have a one-year notice period. Attorney Mantalos confirmed that understanding and the floor was closed.

Vice-chair Byrne opened the floor to public comment; seeing none, the floor was closed.

On a motion duly made a roll call vote was called and it was voted 3-0:

Vice-chair Byrne – yes

Member Simeon- yes

Member Tsolas- yes

To grant a Preliminary Non-Rental Conversion Permit Unit #2 & Unit #3 and a Preliminary Rental Conversion Permit for Unit #1 at 27-29 Kingston St.

WARD 5 PRECINCT 4
355 Highland Avenue

Application of Whitewater Real Estate LLC, Rob Ticktin. Seeking a Preliminary Rental Conversion Permit for Unit #1, Unit #2, & Unit #3 at 355 Highland Avenue. Attorney Christopher Donnelly attended as representative for the applicants. He listed the documentation that was included with the application and stated that tenants of two of the three units had expressed interest in purchasing their unit. One of these tenants had subsequently decided against purchasing and had provided notice to vacate. Another tenant would be receiving an offer to purchase from the owner soon.

Vice-chair Byrne confirmed that the owners understood what the waiting periods were for the units and that tenants would be paid the relocation amounts if necessary, Attorney Donnelly confirmed. Member Tsolas asked for details on the tenants in the third unit and Attorney Donnelly explained that these tenants had not indicated an interest in purchasing or an intent to vacate. Board staff informed Attorney Donnelly that an offer to purchase would need to be provided to these tenants even if they do not indicate an interest in purchasing and that the relocation amount would need to be paid if they vacate within the notice period. Attorney Donnelly indicated he understood and the floor was closed.

Vice-chair Byrne opened the floor to public comment; seeing none, the floor was closed.

On a motion duly made a roll call vote was called and it was voted 3-0:

Vice-chair Byrne – yes

Member Simeon- yes

Member Tsolas- yes

To grant a Preliminary Rental Conversion Permit for Unit #1, Unit #2, & Unit #3 at 355 Highland Avenue.

WARD 3 PRECINCT
30 Richdale Avenue

Application of Building Alliance Group LLC, Thyago Goncalves Ponce. Seeking a Preliminary Non-rental Conversion Permit Unit #1 and a Courtesy Permit for Unit #2 at 30 Richdale Avenue. Attorney Matthew Spang attended as representative for the applicant.

Vice-chair Byrne opened the floor to the Board; seeing none, the floor was closed.

Vice-chair Byrne opened the floor to public comment; seeing none, the floor was closed.

On a motion duly made a roll call vote was called and it was voted 3-0:

Vice-chair Byrne – yes

Member Simeon- yes

Member Tsolas- yes

To grant a Preliminary Non-rental Conversion Permit Unit #1 and a Courtesy Permit for Unit #2 at 30 Richdale Avenue.

WARD 2 PRECINCT 2

63 Oak Street

Application of 63 Oak St LLC, Ben Lin. Seeking a Preliminary Rental Conversion Permit Unit #2 & Unit #3 and a Final Conversion Permit for Unit #1 at 63 Oak Street. Attorney Anne Vigorito attended as representative for the applicants. She listed the required documentation that had been submitted with the application.

Vice-chair Byrne opened the floor to the Board. She questioned why the units were listed for sale, after some discussion with Attorney Vigorito Board Staff clarified that the units can be listed for sale but that a disclaimer letting buyers know there were no permits had to be included in the listing. This disclaimer was originally not included but had since been added. Board Member Tsolis asked what would happen if an offer was accepted but final permits were not issued. New Housing Counsel Joseph Theall explained that the sale should not go through without permits but that the Board would have to review its options should the units be sold without permits. Attorney Vigorito stated that the sale would not move past the P&S stage because buyers, sellers and their lenders expect a condo permit and would not move forward without one. Attorney Vigorito then requested to table the application in order to seek further information on Units #2 & #3.

Vice-chair Byrne opened the floor to public comment; seeing none, the floor was closed.

On a motion duly made a roll call vote was called and it was voted 3-0:

Vice-chair Byrne – yes

Member Simeon- yes

Member Tsolas- yes

To table the application of 63 Oak St LLC, Ben Lin. Seeking a Preliminary Rental Conversion Permit Unit #2 & Unit #3 and a Final Conversion Permit for Unit #1 at 63 Oak Street.

WARD 6 PRECINCT 1

111 Elm Street Unit #1

Application of 111 Elm Street LLC. Seeking a Permit for Unit #1 at 111 Elm Street. Denise Paarlberg & Edward Bednarcik, the new owners of Unit #1 and Ilya Zvenigorodkiy, one of the managers of the LLC, attended to speak on the application. He explained that the property was previously a single-family home and that a new unit had been added, Unit #2 which had received a courtesy permit earlier in the meeting. The developers stated they were unaware they would need conversion permits until the representatives of Unit #2's owners informed them. They subsequently submitted an application but, despite board staff informing them the sale of Unit #1 could not go through, sold both units.

Vice-chair Byrne opened the floor to Board discussion. Board Member Tsolas questioned why the units had been sold. Vice-chair Byrne agreed. All the members agreed that they did not want to penalize the new owners but they were concerned the developers had not contacted Board Staff ahead of time so that problems could be avoided. Housing Counsel Theall raised the point that the applicants had chosen a Certificate of Occupancy permit that did not indicate the units would be condominiums. Had the condo CO been chosen the application would have been routed to board staff much earlier on. After lengthy discussion the board decided to table the application and requested that board staff write a memo and include information on past fines issued by the board.

Vice-chair Byrne opened the floor to public comment; seeing none, the floor was closed.

On a motion duly made a roll call vote was called and it was voted 3-0:

Vice-chair Byrne – yes

Member Simeon- yes

Member Tsolas- yes

To table the application of 111 Elm Street LLC. Seeking a Permit for Unit #1 at 111 Elm Street.

ADJOURN

Vice-chair Byrne motioned to adjourn at 7:55 pm which Member Tsoas seconded. The meeting was adjourned.