

**CITY OF SOMERVILLE, MASSACHUSETTS**  
**SOMERVILLE CONDOMINIUM REVIEW BOARD**  
*KATJANA BALLANTYNE*  
*MAYOR*

***Staff Members***

Morena Zelaya  
Housing Policy Coordinator

***Board Members***

Zachary Zasloff, Chair  
Patricha Paul, Vice-chair  
Alix Simeon  
Paula Vancini  
William Medeiros

**Meeting Minutes**

**February 28, 2022 Meeting – 6:00 PM**

**Virtual Hearing**

Board Members Present: Zac Zasloff, Patricha Paul, Paula Vancini, Alix Simeon

City staff present: Kelly Donato (Assistant Housing Director/Housing Counsel), Michael Feloney (Housing Director), Russell Koty (Interim Staff to Condominium Review Board), Morena Zelaya (Staff to Condominium Review Board)

Board Chair Zachary Zasloff convened the meeting at 6:00 PM. Chair Zasloff read the following information aloud: Pursuant to Chapter 20 of the Acts of 2021, 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.

**1. MEETING CALL TO ORDER**

A motion made to call for attendance at the meeting by Chair Zasloff

Chair Zasloff- present

Vice-chair Paul-present

Member Simian-present

Member Vancini- present

Member Medeiros- absent

Meeting was called to order.

**2. STAFF COMMUNICATIONS & ADMINISTRATIVE ITEMS**

Director Feloney thanked Russell Koty for his assistance as interim staff to the Board. Morena Zelaya (Staff) informed the Board and public that the deadline for conversion applications for non-tenanted properties was being changed to the Monday before the Board meeting. Staff also notified that a general email inbox had been created to accept condo conversion materials, [condoboard@somervillema.gov](mailto:condoboard@somervillema.gov). The conversion application is also in the process of being changed and the latest version can be found on the Board's website or by contacting Staff.

There was a carried item from the January 2022 meeting. Chair Zasloff had expressed that he could no longer fulfill the duties of the Chair role. Chair Zasloff introduced a motion to nominate and vote on a new chair. Vice-chair Paul seconded the motion. Chair Zasloff made a motion to nominate Vice-chair Paul, Member Vancini seconded. Roll call vote: all yes. Chair Paul then made a motion to nominate Mr.

Zasloff as vice-chair, Mr. Zasloff seconded the motion. Roll call vote: all yes. Chair Paul conducted the business of the meeting from that point on.

### **3. CONTINUED ITEMS**

#### **WARD 3 PRECINCT 1**

##### **33 Warren Ave**

Application of 33 Warren Ave., LLC, Jill & Attila Javor representing, seeking a Final Conversion permit for Unit #1 and a Courtesy permit for Unit #2. Staff presented a staff report on the timeline of the item, attached. The application had gone before the board in August 2021, October 2021, December 2021 and January 2022. The representatives were permitted to address the Board and respond to the staff report. Ms. Javor protested to having received the staff report just earlier in the day, they claimed to have been before the Board more often than what is noted in the report and stated that the 2019 Certificate of Occupancy (CoO) permit application was not submitted by them. Mr. Javor protested the assertion in the staff report that the City was not offered its right to purchase, referenced the email from Hans Jensen that allowed the addition of the unit by right, again brought up that the did not apply for the 2019 CoO permit, he said the property had been previously used as an illegal 5 unit property and had received numerous fines from ISD and that it never had a CoO prior to the current one issued. Ms. Javor claimed she had never been informed that the property was used as a rental and said the prior owner called the other occupants squatters and that the property had been vacant for over a year.

Chair Paul opened the floor to Board discussion. Vice-chair asked the applicants how many properties they'd previously developed in Somerville. Mr. Javor responded 6-7 properties since 2005. Member Vancini asked when the email from Hans Jensen was sent. Mr. Feloney stated that much of this information is repetitive and made clear that the CCO is not part of the zoning ordinance. Mr. Feloney noted the ordinance had been in place for 37 years and that thousands of applications had been before the Board. It is unclear to staff why a developer would rely on statements from other departments. Chair Paul requested that the Board discuss fines based on the violations of the ordinance, particularly that the units were not offered to the City for purchase. Vice-chair Zasloff noted that the Board is permitted to fine \$300/day which would be a substantial fine. After Board discussion on fine amounts a fine of \$5000 was assessed with a \$600 credit for the courtesy permit application fee that was paid.

On a motion duly, a roll call vote was called and it was VOTED 4-0:

Chair Paul- Yes

Vice-chair Zasloff-Yes

Member Simian-Yes

Member Vancini- Yes

To grant a courtesy permit for Unit #2, and a final conversion permit for unit #1 conditioned on the \$4400 fine being paid within 30 days of the ticket being issued by the enforcing agency.

#### **WARD 1 PRECINCT 2**

##### **7-9 Connecticut Ave**

Application of The 7-9 Connecticut Avenue LLC, James and David Desrosiers, seeking a final determination be made by the board regarding whether the tenant in Unit #1 is entitled to enhanced protections under the ordinance. Mr. Koty presented a summary of staff's efforts to contact the tenant in unit #1, attached. Chair Paul opened the floor to Board discussion. Vice-chair Zasloff believes the applicant has made sufficient attempts to gather information from the tenant in unit #1. Chair Paul concurs that efforts have been exhausted by both the applicant and city. Attorney Kathleen Desmond, representing, has questions related to process related to entry to the units in order to draft the master deed and the payment of relocation fees. The Board cannot consider matters not on the agenda. Attorney Desmond was asked to coordinate with staff on these concerns.

On a motion duly made, a roll call vote was called and it was VOTED 4-0:

That the tenant in Unit #1 is not entitled to enhanced protects under the conversion ordinance.

#### **4. NEW BUSINESS**

##### **a. APPLICATIONS FOR FINAL CONDOMINIUM CONVERSION PERMITS**

###### **WARD 6 PRECINCT 1**

###### **190-192 Morrison Ave**

Application of Peter DeMasi & Linda Rhines, seeking a Final Conversion Permit for Unit #1 and Unit #2. Peter DeMasi & Linda Rhines attended and stated what documents have been submitted as part of the application and that the City rejected its right to purchase. Chair Paul opened the floor for public comment, no comment was received. Director Feloney stated the City declined its right to purchase, not rejected. Floor opened for board comment, the board did not have questions.

On a motion duly made, a roll call vote was called and it was VOTED 4-0

To grant a Final Conversion Permit for Unit 1 and Unit 2 located at 190-192 Morrison Ave.

###### **WARD 4 PRECINCT 2**

###### **19 Bradley St**

Application of Barros Properties, LLC, Tony Barros, seeking a Final Conversion permit for Unit #1 & Unit #2. Mike Cohen representing, he states the preliminary permits were granted in 2020. City has waived purchase, engineer's report and master deed have been submitted. Chair Paul opened floor to the board, no comment. Chair Paul opened floor for public comment, no comment, floor closed.

On a motion duly made, a roll call vote was called and it was VOTED 4-0

To grant a Final Conversion Permit for Unit 1 and Unit 2 located at 19 Bradley St.

###### **WARD 7 PRECINCT 1**

###### **6-8 Whitman St**

Application of Yasin N. Khan No. 3, LLC, Samantha Khan, seeking a Final Conversion Permit for Unit #6 & Unit #8. Mark Sheehan representing, he stated that the last outstanding item, the verification of tenant payment, has been submitted. Chair Paul opens the floor to the board, no comment, floor closed. Chair Paul opened floor for public comment, no comment, floor closed.

On a motion duly made, a roll call vote was called and it was VOTED 4-0

To grant a Final Conversion Permit for Unit 6 and Unit 8 located at 6-8 Whitman St.

###### **WARD 6 PRECINCT 1**

###### **138 Orchard St**

Application of 138 Orchard Street, LLC, Kwesi Acquaaah, seeking a Final Conversion Permit for Unit #1 & Unit #2. Mr. Acquaaah states the master deed and report on condition of property were submitted. Chair Paul opened floor to Board, no comment, floor closed. Chair Paul opened floor for public comment, floor closed.

On a motion duly made, a roll call vote was called and it was VOTED 4-0

To grant a Final Conversion Permit for Unit 1 and Unit 2 located at 138 Orchard St.

## **b. APPLICATIONS FOR PRELIMINARY CONDOMINIUM CONVERSION PERMITS**

### **WARD 3 PRECINCT 2**

#### **12 Putnam St**

Application of 12 Putnam Street, LLC, Fraser Allan, seeking a Preliminary Non-Rental Conversion Permit for Unit #1 and a Courtesy Permit for Unit #2. Mark Sheehan representing, states the property was owner-occupied and continues to be owner-occupied. Attorney Sheehan lists the documents that were submitted as part of the application. Chair Paul opened floor to Board, no comment, floor closed. Chair Paul opened floor for public comment, no comment, floor closed.

On a motion duly made, a roll call vote was called and it was VOTED 4-0

To grant a Preliminary Non-Rental Conversion Permit for Unit #1 and a Courtesy Permit for Unit #2 located at 12 Putnam St.

### **WARD 2 PRECINCT 3**

#### **54 Park St**

Application of Jonathan Paul Augustus Greco & Long Zhen Han, seeking a Preliminary Rental Conversion Permit for Unit #1 & Unit #2. Attorney Jim Maher representing, states the documents submitted as part of application including email correspondence where Attorney Maher sought information regarding prior tenants at property, information was not provided. Chair Paul opened floor to Board, no comment, floor closed. Chair Paul opened floor for public comment, no comment, floor closed.

On a motion duly made, a roll call vote was called and it was VOTED 4-0

To grant a Preliminary Rental Conversion Permit for Unit #1 & Unit #2 located at 54 Park St.

### **WARD 7 PRECINCT 1**

#### **58 Simpson Ave**

Application of 58 Simpson Realty, LLC, Tony Barros, seeking a Preliminary Non-Rental Conversion Permit for Unit #1 and a Preliminary Rental Conversion Permit for Unit #2. Mike Cohen representing. He states both units were vacant at time of purchase, affidavit submitted regarding occupancy of the property prior to vacancy. He lists the documentation that was submitted with the application. Chair Paul opened floor to Board, no comment, floor closed. Chair Paul opened floor for public comment, no comment, floor closed.

On a motion duly made, a roll call vote was called and it was VOTED 4-0

To grant a Preliminary Non-Rental Conversion Permit for Unit #1 and a Preliminary Rental Conversion Permit for Unit #2 located at 58 Simpson Ave.

### **WARD 3 PRECINCT 1**

#### **15 Grand View Ave.**

Application of Grandview Realty LLC, Tony Barros, seeking a Preliminary Non-Rental Conversion Permit for Unit #2 and a Preliminary Rental Conversion Permit for Unit #1. Mike Cohen representing, Tony Barros also present and spoke. Mr. Cohen believed there was an error as to the type of permit sought. A caregiver for the owner occupied the first floor and says it was not a rental situation. Staff interjected that the exchange of caregiving could be perceived as rent and so that is why it is considered a rental. Chair Paul opened the floor to Board discussion. After some discussion between the board, Director Feloney, and applicants about the type of documentation that would be needed to show it was a non-rental, and to avoid tabling the application, the applicant decided to accept the

permit as designated. Floor closed to Board. Chair Paul opened floor for public comment, no comment, floor closed.

On a motion duly made, a roll call vote was called and it was VOTED 4-0

To grant a Preliminary Non-Rental Conversion Permit for Unit #2 and a Preliminary Rental Conversion Permit for Unit #1 located at 15 Grand View Ave.

### **WARD 4 PRECINCT 3**

#### **102 Thurston St**

Application of Burgundy Realty, LLC, Vincent Lee and Cherie Lee representing, seeking a Non-Rental Conversion Permit for Unit #1 & Unit #2. Cherie Lee listed documents that were submitted with application. Chair Paul opened floor to Board, no comment, floor closed. Chair Paul opened floor for public comment, no comment, floor closed.

On a motion duly made, a roll call vote was called and it was VOTED 4-0

To grant a Non-Rental Conversion Permit for Unit #1 & Unit #2 located at 102 Thurston St.

## **5. ADJOURN**