

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

Staff Members

Russell Koty
Program Manager

Board Members

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

Meeting Minutes

January 24, 2022 Meeting – 6:00 PM

Virtual Hearing

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

City staff present: Russell Koty (Interim Staff to Condominium Review Board), Michael Feloney (Housing Director), 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- absent *note Member Vancini arrived at 6:11pm

Member Medeiros- absent

Meeting was called to order.

2. Staff Communication –

Director Feloney introduces new staff to condo board, Morena Zelaya, and thanks interim staff Russell Koty for his role in supporting the Board. Chair Zasloff thanks Mr. Koty for his support to the Board and to the City of Somerville. Director Feloney explains that there are no board meetings to review for November 2021 or December 2021, those should be ready for review for February 2022 meeting. Mr. Koty explained that Chair Zasloff had expressed interest in stepping down as Chair during December 15th special meeting. After staff discussions it was decided that a vote would be held at February 28, 2022 meeting to elect a new chairman and vice-chairman.

3. New Business-

WARD 3 PRECINCT 3

25 Cleveland St

Application of Centura Bay LLC seeking final conversion permit for Units 1, 2, and 3 located at 25 Cleveland St, Frank Privitera representing. Received Non-Rental Permit for Unit 1 and Preliminary Conversion Permit for Unit 2 and Unit 3. City waived right to purchase. One year notice period to Board lapsed November 16, 2021. Master deed has been submitted. The Board did not have questions or comments for the applicant

No public comment was received for this application.

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

Chair Zasloff- Yes

Vice-chair Paul-Yes

Member Simian-Yes

To grant a Final Conversion Permit for Unit 1, Unit 2, and Unit 3.

WARD 7 PRECINCT 1

54 Paulina St

Application of Raggydoodle Properties, LLC., Seeking a Final Conversion Permit for Unit #1 and Unit #2 located at 54 Paulina Street. Attorney Anne Vigorito representing applicant. Chair Zasloff opened for Board discussion. No discussion. Motion to open for public comment. Attorney Vigorito noted the notice period to the Board expired January 25th, the next day. Staff was unclear whether application should wait until February's meeting. Public comment period closed. Board commenting period reopened. Vice-chair Paul does not have additional comments and is ok with accepting application 5.5 hours early. Member Simian asks what's to stop the Board from accepting earlier and earlier applications. Director Feloney is granted floor and suggests making permit valid as of January 25, 2022. Chair Zasloff asks for comments from Board about recommendation. Member Vancini agrees that 5.5 hours is ok. Staff mentions the vote could set a precedent. Director Feloney states that he does not mean for his suggestion to set a precedent. No further comments from Board. Chair Zasloff would like issue to be added as a topic for future meeting. This vote would be a one-off for this property.

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

Chair Zasloff- Yes

Vice-chair Paul-Yes

Member Simian-Yes

Member Vancini- Yes

To grant a Final Conversion Permit for Unit 1 and Unit 2 effective January 25, 2022.

WARD 7 PRECINCT 1

7 Whitman Street

Application of 7 Whitman Street, LLC., Seeking a Preliminary Rental Conversion Permit for Unit 1 and a Preliminary Rental Conversion Permit for Unit 2 at 7 Whitman Street. Kwesi Acquah representing as manager of LLC. This is a vacant two-family home that was purchased in November 2021; both units were previously

occupied by tenants within the previous 12 months, who no longer occupy the units. The tenants have received communication from the current owner regarding the intent to convert and the submitted condo conversion application (copies of the notices are in the file), and notices of the hearing were sent to the former tenants from City staff. Board has certificate of good standing, water bill, quitclaim deed, check for fee payments.

The Board had no additional questions for this applicant.

No public comment was received for this application.

There is a one year waiting period for both Unit 1 and Unit 2.

City has right to purchase for both Unit 1 and Unit 2.

Master deed and report on the condition of the property have not been provided.

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

Chair Zasloff- Yes

Vice-chair Paul-Yes

Member Simian-Yes

Member Vancini- Yes

To grant a Preliminary Rental Conversion Permit for Unit 1 and a Preliminary Rental Conversion Permit for Unit #2., conditioned on the submission of the master deed, report on on the condition of the property and completion of the one year waiting period for Unit 1 and Unit 2.

WARD 2 PRECINCT 1

10-12 Linden St

Application of 10-12 Linden St. LLC., Seeking a Preliminary Rental Conversion Permit for Unit #1, a Preliminary Rental Conversion Permit for Unit #2, a Preliminary Rental Conversion Permit for Unit #3, and a Preliminary Rental Conversion Permit for Unit #4 at 10-12 Linden Street. Anne Vigorito representing. This is a vacant four-family home that was purchased in November 2021; all four units were previously rental units. The attorney representing the owner attempted to get the contact information for the prior tenants, via email sent to the former owner's attorney. No information was provided to the current owner's attorney regarding the prior occupants.

The Board had no additional questions for this applicant.

No public comment was received for this application.

There is a one year waiting period for Unit 1, Unit 2, Unit 3, and Unit 4.

City has right to purchase for Unit 1, Unit 2, Unit 3, and Unit 4.

Master deed and report on the condition of the property have not been provided.

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

Chair Zasloff- Yes

Vice-chair Paul-Yes

Member Simian-Yes

Member Vancini- Yes

To grant a Preliminary Rental Conversion Permit for Unit 1, a Preliminary Rental Conversion Permit for Unit 2, a Preliminary Rental Conversion Permit for Unit 3, and a Preliminary Rental Conversion Permit for Unit 4, conditioned on the submission of the master deed, report on the condition of the property and completion of the one year waiting period for Unit 1, Unit 2, Unit 3, and Unit 4.

WARD 5 PRECINCT 1

12 Woodbine St

Application of 12 Woodbine LLC, Jake Santana representing, seeking a Preliminary Non-Rental Conversion Permit for Unit 1 and a Final Courtesy Conversion Permit for Unit 2 located at 12 Woodbine St. The \$600 per unit application fee was paid and no real estate taxes or water bills were owed to the City. This is single family home that was previously owner occupied until the sale in December 2021. Prior Owner Occupancy status has been verified via an affidavit included in the file as well as 12 months of consecutive utility statements. The unit is currently vacant. This property has received approval to convert from a single family dwelling to a 2-family dwelling. The Certificate of Zoning Compliance is included with this application. The master deed and report on the condition of the property have been provided.

The Board had no additional questions for this applicant.

No public comment was received for this application.

City has right to purchase for Unit 1

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

Chair Zasloff- Yes

Vice-chair Paul-Yes

Member Simian-Yes

Member Vancini- Yes

To grant a Preliminary Non-Rental Conversion Permit for Unit 1 conditioned on City's right to purchase and a Final Courtesy Conversion Permit for Unit 2.

WARD 1 PRECINCT 3

14-16 Otis St

Application of 14-16 Otis Street Realty, LLC., Attorney Megan Kemp representing, seeking a Preliminary Rental Conversion Permit for Unit #1, a Preliminary Rental Conversion Permit for Unit #2, and a Preliminary Rental Conversion Permit for Unit #3 at 14-16 Otis Street. This is 3-family home that is being used as a rental in all three units. The tenants have received communication from the current owner regarding the intent to convert (copies of the notices are in the file), and notices of the hearing were sent to the tenants from City staff. Chair Zasloff opened floor to Board. Vice-chair Paul noted that all tenants waived first right of refusal but the tenant in Unit 1 stated they might buy. She also confirmed that \$6,000 payment to tenants is per unit not per tenant. She would like to hear Board input on splitting of fees and would like owner to submit verification that payments were made. Attorney Kemp notes that copies of cashed checks have been required by Board previously, each tenant will receive check for \$1500. Member Simian asks where confirmation of payment is. Chair Zasloff clarifies that payment has not been made but permit can be conditions on proof that be submitted.

Chair Zasloff has questions whether signing affidavit waiving rights supersede email communication that tenant was interested in purchasing unit? Director Feloney wants to follow up with the Housing Counsel, asks if Attorney Kemp can clarify tenant's intent. Attorney Kemp states that if he does not intend to waive then they will make an offer for unit. Chair Zasloff agrees with Vice-chair Paul's concern about division of payments, payment is diluted in a roommate situation. Board should consider that in future if ordinance is to be revised in the future. Future proposal for city staff. No other board comments.

No public comment was received for this application.

There is a one year waiting period for Unit 1, Unit 2, and Unit 3.

City has right to purchase for Unit 1, Unit 2, and Unit 3.

Master deed and report on the condition of the property have not been provided.

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

Chair Zasloff- Yes

Vice-chair Paul-Yes

Member Simian-Yes

Member Vancini- Yes

To grant a Preliminary Rental Conversion Permit for Unit 1, a Preliminary Rental Conversion Permit for Unit 2, and a Preliminary Rental Conversion Permit for Unit 3, conditioned on clarification of tenant's intent to purchase Unit 1, the submission of the master deed, report on the condition of the property and completion of the one year waiting period for Unit 1, Unit 2, and Unit 3.

WARD 1 PRECINCT 2

23 Franklin St

Application of Nikolay Koumpikov and Katrin A. Koumpikova, Attorney Isaac Machado representing. Seeking a Preliminary Non-Rental Conversion Permit for Unit #1 and a Preliminary Non-Rental Conversion Permit for Unit #2 at 23 Franklin Street. This is a vacant two-family home that was purchased in December 2021; both units were previously occupied by the owner, there is an affidavit in the file stating this, as well as an assessors database card that shows a residential exemption on the property. Director Feloney requested clarification on attorney's and owner's names. Attorney Machado confirmed owner last names are Koumpikov/Koumpikova.

The Board had no additional questions for this applicant.

No public comment was received for this application.

City has right to purchase for Unit 1, and Unit 2.

Master deed and report on the condition of the property have not been provided.

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

Chair Zasloff- Yes

Vice-chair Paul-Yes

Member Simian-Yes

Member Vancini- Yes

To grant a Preliminary Non-Rental Conversion Permit for Unit 1 and Unit 2 conditioned on City's right to purchase both and submission of master deed and report on condition of the property.

Ward 7 Precinct 1
28 Cameron Ave

Application of Richard J. Monagle and Kimberly DiGregorio, Attorney John Masciarelli representing. Seeking a Preliminary Rental Conversion Permit for Unit #1 and a Preliminary Rental Conversion Permit for Unit #2 at 28 Cameron Avenue. This is two-family home that was previously used as a rental property. The owners purchased and owned the property since April in 2007. Both units have been vacant since August of 2020 and remain vacant at this time. Attorney Masciarelli states that Kimberly DiGregorio is no longer on the deed, just Richard Monagle.

The Board had no additional questions for this applicant.

No public comment was received for this application.

There is a one year waiting period for both Unit 1 and Unit 2.

City has right to purchase for both Unit 1 and Unit 2.

Master deed is included

Report on the condition of the property has not been provided.

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

Chair Zasloff- Yes

Vice-chair Paul-Yes

Member Simian-Yes

Member Vancini- Yes

To grant a Preliminary Rental Conversion Permit for Unit 1 and a Preliminary Rental Conversion Permit for Unit #2, conditioned on the submission of the report on on the condition of the property, City right to purchase, and completion of the one year waiting period for Unit 1 and Unit 2.

Ward 1 Precinct 2
30-32 Illinois Ave

Application of Daniela Giardina and Daniele Foresti, Attorney Megan Kemp representing. Seeking a Preliminary Non-Rental Conversion Permit for Unit #1 and a Preliminary Non-Rental Conversion Permit for Unit #2 at 30-32 Illinois Avenue. This is an owner-occupied two-family home. Each owner occupies a separate unit within the property. The property was purchased in May of 2018. Each of the owners have roommates who occupy the units with them, the tenants have received communication from the current owner regarding the intent to convert and the submitted condo conversion application (copies of the notices are in the file), and notices of the hearing were sent to the tenants from City staff.

City does not have right to purchase because owners do not plan to sell. Staff notes that the permit will expire if no sale happens. Attorney Kemp says that splitting the deeds to one owner each will count as a sale. Chair Zasloff open floor to Board. He asks Attorney Kemp why owners want to go through process of splitting units if they do not have intent to sell. Attorney Kemp responds that she does not know if they will never have an intent to sell but that the owners are friends, not romantic partners, who bought the property jointly and now qualify for individual mortgages. They have decided to split property for tax purposes. Member Simian- requests more clarification from Attorney Kemp regarding splitting the deed from two owners jointly to one per deed. Attorney Kemp states that the master deed will split each unit to each owner, there will be no transfer tax. Member Vancini notes that

owner's affidavit (C) is misdated and reads 12/21/22 but should read 2021. Attorney Kemp states she will have owner initial change.

No public comment was received for this application.

Master deed has not been provided.

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

Chair Zasloff- Yes

Vice-chair Paul-Yes

Member Simian-Yes

Member Vancini- Yes

To grant a Preliminary Non-Rental Conversion Permit for Unit 1 and Unit 2 conditioned on submission of master deed.

Ward 5 Precinct 2
43 Prichard Ave

Application of 43 Prichard Avenue LLC., Seeking a Preliminary Rental Conversion Permit for Unit #1 and a Preliminary Rental Conversion Permit for Unit #2 located at 43 Prichard Ave.

The property was purchased vacant in November of 2021. Both Unit #1 and Unit #2 were previously rental units. The attorney representing the owner attempted to get the contact information for the prior tenants, via email sent to the former owner's. No information was provided to the current owner's attorney regarding the prior occupants.

The Board had no additional questions for this applicant.

No public comment was received for this application.

There is a one year waiting period for Unit 1, and Unit 2.

City has right to purchase for Unit 1, and Unit 2.

Master deed and report on the condition of the property have not been provided.

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

Chair Zasloff- Yes

Vice-chair Paul-Yes

Member Simian-Yes

Member Vancini- Yes

To grant a Preliminary Rental Conversion Permit for Unit 1, and a Preliminary Rental Conversion Permit for Unit 2, conditioned on the submission of the master deed, report on the condition of the property and completion of the one year waiting period for Unit 1, and Unit 2.

Ward 5 Precinct 2
62 Governor Winthrop Rd

Application of 62 Governor Winthrop Realty LLC., Attorney Mike Cohen representing. Seeking a Preliminary Rental Conversion Permit for Unit #1 and a Preliminary Non-Rental Conversion Permit for Unit #2 located at 62

Governor Winthrop Road. The property was purchased vacant in October of 2021. Unit #1 was previously owner occupied and an affidavit and assessor's office document have been submitted as proof. Unit #2 was previously a rental unit. The owner provided contact information for one of the tenants. The owner provided notice of the intent to convert to that tenant. City staff attempted to notify the tenant of the hearing, but numerous attempts to send emails went undeliverable. The tenant did fill out the notice form and questionnaire. Attorney Cohen states that former tenant was paid relocation fee, does that mean owner can waive one year notice period to Board? Chair Zasloff states that no, paying of the fee does not waive the time.

The Board had no additional questions for this applicant.

No public comment was received for this application.

There is a one year waiting period for Unit 1.

City has right to purchase for Unit 1, and Unit 2.

Master deed and report on the condition of the property have not been provided.

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

Chair Zasloff- Yes

Vice-chair Paul-Yes

Member Simian-Yes

Member Vancini- Yes

To grant a Preliminary Rental Conversion Permit for Unit 1, and a Preliminary Non-Rental Conversion Permit for Unit 2, conditioned on the submission of the master deed, report on the condition of the property and completion of the one year waiting period for Unit 1.

Ward 7 Precinct 1
83-85 Electric Ave

Application of Qihong Huang and Xiaodong Wu, Attorney Anne Vigorito representing. Seeking a Preliminary Rental Conversion Permit for Unit #1 and a Preliminary Rental Conversion Permit for Unit #2 located at 83-85 Electric Avenue. The property was purchased vacant in September of 2021. Both Unit #1 and Unit #2 were previously rental units. The attorney representing the owner attempted to get the contact information for the prior tenants, via email sent to the former owner's attorney. No information was provided to the current owner's attorney regarding the prior occupants. Attorney Vigorito inadvertently sated application was for 29 Appleton St but corrected herself later.

The Board had no additional questions for this applicant.

No public comment was received for this application.

There is a one year waiting period for Unit 1 and Unit 2.

City has right to purchase for Unit 1, and Unit 2.

Master deed and report on the condition of the property have not been provided.

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

Chair Zasloff- Yes

Vice-chair Paul-Yes

Member Simian-Yes

Member Vancini- Yes

To grant a Preliminary Rental Conversion Permit for Unit 1, and a Preliminary Rental Conversion Permit for Unit 2, conditioned on the submission of the master deed, report on the condition of the property and completion of the one year waiting period for Unit 1 and unit 2.

Ward 2 Precinct 2
105 Beacon St

Application of Dah Beacon Street LLC., Attorney Anne Vigorito representing. Seeking a Preliminary Rental Conversion Permit for Unit #1 and a Preliminary Rental Conversion Permit for Unit #2 located at 105 Beacon Street. The property was purchased vacant in October of 2021. Both Unit #1 and Unit #2 were previously rental units. The attorney representing the owner attempted to get the contact information for the prior tenants, via email sent to the former owner's attorney. No information was provided to the current owner's attorney regarding the prior occupants. Chair Zasloff opened floor to Board. Member Vancini asked for clarification on LLC name. Attorney Vigorito states LLC name has changed to 105 Beacon St LLC from Dah Beach Street LLC. No public comment was received for this application.

There is a one year waiting period for Unit 1 and Unit 2.

City has right to purchase for Unit 1, and Unit 2.

Master deed and report on the condition of the property have not been provided.

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

Chair Zasloff- Yes

Vice-chair Paul-Yes

Member Simian-Yes

Member Vancini- Yes

To grant a Preliminary Rental Conversion Permit for Unit 1, and a Preliminary Rental Conversion Permit for Unit 2, conditioned on the submission of the master deed, report on the condition of the property and completion of the one year waiting period for Unit 1 and unit 2.

Ward 5 Precinct 3
121 Hudson St

Application of The Felth Family Revocable Trust, Attorney Trudy Hale representing. Seeking a Preliminary Rental Conversion Permit for Unit #1 and a Preliminary Non-Rental Conversion Permit for Unit #2 located at 121 Hudson Street. The property was purchased in July of 2007. Unit #1 was previously a rental unit and has not been occupied within the past 12 months. Unit #2 was previously an owner-occupied unit. The owner passed away in February of 2021 and the unit has been vacant since. Provided with the application is an affidavit stating the owner occupied it as their primary residence as well as 12 months of consecutive utility statements. Chair Zasloff opens floor for Board comment. No comment. Chair Zasloff opens for public comment. No comment. Staff notes that agenda needs corrections because it misstates which unit is eligible for the rental/non-rental permit. Chair Zasloff reviews the application once again to confirm permit type eligibility. Chair Zasloff asks to view certificate of good standing and paid water bill which were turned in too late to send to Board. Staff showed both on screen.

There is a one year waiting period for Unit 1.

City has right to purchase for Unit 1, and Unit 2.

Master deed has not been provided.

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

Chair Zasloff- Yes

Vice-chair Paul-Yes

Member Simian-Yes

Member Vancini- Yes

To grant a Preliminary Rental Conversion Permit for Unit 1, and a Preliminary Non-Rental Conversion Permit for Unit 2, conditioned on the submission of the master deed and completion of the one year waiting period for Unit 1.

Ward 5 Precinct 3
231-233 Summer St

Application of Inman Square Realty, LLC, Attorney Isaac Machado representing. Seeking a Preliminary Non-Rental Conversion Permit for Unit #1 (231 Summer St.) and a Preliminary Non-Rental Conversion Permit Unit #2 (233 Summer St.) located at 231-233 Summer Street. Attorney Machado notes an error on agenda and applicant is an LLC not Inc. The property was purchased in February of 2021. 231-233 Summer Street was previously owned by Christine Ferrante and Catherine Burgess. Unit #1 (231) was previously owner occupied for the 12 months immediately preceding the unit becoming vacant by one of the two owners, Catherine Ferrante, who occupied the unit from July 2016 until April 2021. Unit #2 (233) was previously owner occupied for the 12 months immediately preceding the unit becoming vacant by the other of the two owners, Catherine Burgess, who occupied the unit from July 2016 until February 2021.

Chair Zasloff opens floor to Board. Staff notes that application said units may be sold to family withing 4th degree of kindred. Attorney Machado states that is no longer the case. Vice-chair Paul asks if the owners intend to sell the units. Attorney Machado says yes. Board comment period closed.

No public comment was received for this application.

City has right to purchase for Unit 1, and Unit 2.

Master deed and report on the condition of the property have not been provided.

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

Chair Zasloff- Yes

Vice-chair Paul-Yes

Member Simian-Yes

Member Vancini- Yes

To grant a Preliminary Non-Rental Conversion Permit for Unit 1, and a Preliminary Non-Rental Conversion Permit for Unit 2, conditioned on the submission of the master deed, and report on the condition of the property.

CONTINUED ITEMS

Ward 2 Precinct 1
55 Springfield St.

Application of Linda Lambert, aka Linda LoPresti and Kathleen Silva, Kelly A. Levins, Personal Representative of the Estate of Janice Elizabeth Connors a/k/a Janice E. Connors, Middlesex Probate and Family Court No. MI21P0289EA, Eric McCambly, Personal Representative of the Estate of Joseph McCambly, Jr. Middlesex Probate and Family Court No. MI21P0910EA, Tracy Piantedosi, Personal Representative of the Estate of Richard Francis McCambly, Middlesex Probate and Family Court No. MI21P0560EA-, Attorney Cody Zane representing. Seeking a Preliminary Non-Rental Conversion Permit for Unit 1 and a Preliminary Non-Rental Conversion Permit Unit 2 located at 55 Springfield St.

This is a two-family home, Unit 1 is currently vacant and was previously owner occupied, Unit 2 is currently vacant and had been previously owner occupied. There are accompanying documents from the probate court in the file granting authority to the parties involved. This case came before the board in November 2021, and then again in December 2021 to clarify the vote on the permit. After the permit was issued the attorney representing the property contested the 1-year waiting period conditioned to unit #2. Attorney Zane explains that both units were occupied by heirs of the estates. The application was poorly written and as such affidavits have been submitted. He has since provided an updated affidavit from the former owner stating that unit 2 was also previously owner occupied. Vice-chair Paul believes that affidavit suffices but asks for staff opinion. Director Feloney asks Attorney Zane if court determined how many years the units were owner-occupied. Attorney Zane replies that court determined heirs not time of occupancy. Director Feloney asks how all the heirs occupied the units for so long. Attorney Zane states that all five estates were probated at different times so individuals have moved in and out over the years. No further questions from Board.

No public comment was received for this application.

City has right to purchase for Unit 1, and Unit 2.

Master deed and report on the condition of the property have not been provided.

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

Chair Zasloff- Yes

Vice-chair Paul-Yes

Member Simian-Yes

Member Vancini- Yes

To grant a Preliminary Non-Rental Conversion Permit for Unit 1, and a Preliminary Non-Rental Conversion Permit for Unit 2, conditioned on the submission of the master deed, and report on the condition of the property.

Ward 3 Precinct 1
33 Warren Ave

Application of 33 Warren Ave LLC, Jill Javor representing. Seeking a retroactive Final Conversion Permit for Unit #1 and Unit #2 located at 33 Warren Ave. This application went before the board back at the August meeting of the Condo Review Board, again at the December 2021 hearing and is coming back before the board today.

Ms. Javor states that they, as developers, purchased the property in May 2019. Property was vacant and in extreme disrepair. They were informed that the property did not have a Certificate of Occupancy. She states they were told they had CoO by right because of the property was a single-family dwelling (SFD). She states they were also told they could convert to two units by right. She states they were informed by various city staff and departments that they could convert to two units by right. Permits for construction were issued and Attorney

Bruce Embry was engaged. Unit 1 was sold to Alexander Grace in February 2021. Unit 2 received a CoO in March 2021. Chair Zasloff asks when developers paid \$600 application fee. Ms. Javor responds that it was in March 2021.

Chair Zasloff asks how did developers not know the ordinance existed in its previous iteration at the time of purchase. Ms. Javor states that ISD informed her that the property was considered a SFD and did not previously have a CoO. Chair Zasloff asks Director Feloney if he remembers if there were exceptions for SFDs in previous ordinance language. Director Feloney does not but asks if Mr. Koty has more information. Mr. Koty does not know. Chair Zasloff states that more information is needed on previous iteration of ordinance. Director Feloney suggests item lead agenda for next meeting. =

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

Chair Zasloff- Yes

Vice-chair Paul-Yes

Member Simian-Yes

Member Vancini- Yes

To table item until February meeting for staff report.

4. ADJOURN