

MINUTES

MEETING OF THE

CONDOMINIUM REVIEW BOARD

MONDAY MAY 21, 2007

**Board Members Present: Kenneth Joyce, Elizabeth Medeiros, Robert Racicot,
John Cangiamila, William Medeiros**

The Following Hearings Were Conducted:

WARD SIX PRECINCT ONE

9-9a Cottage Avenue – Application of E. Douglas G. Mindell, a Removal Permit for the Unit located at 9A Cottage Avenue – Attorney James Finn, 43 Thorndike Street, Cambridge, MA represented the applicant – The \$500.00 application fee has been paid, and no real estate taxes or water bills are owed to the City.

Two Family – Purchased 2003

Seeking Removal Permit for Unit located at 9A

Tenant did not wish to renew lease – tenant moved voluntarily on their own

Owner decided to convert after tenant vacated.

On a motion duly made and seconded, it was

VOTED: to grant a Removal Permit for the Unit Located at 9A Cottage Avenue – location 9-9A Cottage Avenue.

WARD SIX PRECINCT TWO

159 Morrison Avenue – Application of Edward Champy III, a Removal Permit for Two Units – Attorney Richard DiGirolamo, 424 Broadway, Somerville, MA represented the applicant – The \$1,000.00 application fee has been paid, and no real estate taxes or water bills are owed to the City.

Two Family – Purchased vacant January 2004

Seeking Two Removal Permits

On a motion duly made and seconded, it was

VOTED: to grant a Removal Permit for Unit One and Unit Two located at 159 Morrison Avenue.

WARD SEVEN PRECINCT TWO

34-36 Hooker Avenue – Application of James and David Maher, a Removal Permit for Unit Three located at 36 Hooker Avenue – Attorney James Maher, 962 Broadway, Somerville, MA represented the owners – The \$500.00 application fee has been paid, and no real estate taxes or water bills are owed to the City.

Three family – Purchased 2003

Unit One And Unit Two converted May 2004

Unit Three located at 36 Hooker Avenue had been owner occupied – Owners have purchased another property and moved – owners are seeking to convert this Unit and sell.

If this Unit is approved all Three Units will have been converted.

On a motion duly made and seconded, it was

VOTED: to grant a Removal Permit for Unit Three located at 36 Hooker Avenue – location 34-36 Hooker Avenue.

WARD THREE PRECINCT ONE

10 Prospect Hill Avenue – Application of Sang O. Lee – Trustee – a Removal Permit for Unit One and Unit Two – Attorney Edward Fitzgerald, 2409 Massachusetts Avenue, Cambridge, MA represented the applicant – The \$1,000.00 application fee has been paid, and no real estate taxes or water bills are owed to the City.

Two Family – Purchased August 30, 2001

Seeking Two Removal Permits

Unit One – vacant eleven months – affidavits signed by former tenants – one tenant moved due to job re-location – one tenant moved to Boston to another residence – both tenants waived their right to purchase Unit – tenants waived their rights in conversion process – waived their right to attend meeting.

Unit Two – signed tenant affidavit – voluntarily moving at the end of July 2007 – waived right to purchase Unit – tenant had been notified that building was going to be sold when they moved into Unit July 2004 – waived right to conversion process – waived right to attend Meeting.

On a motion duly made and seconded, it was

VOTED: to grant a Removal Permit for Unit One and Unit Two located at 10 Prospect Hill Avenue.

WARD SEVEN PRECINCT THREE

45-47 Russell Road – Application of Shirley Li, a Removal Permit for Two Units- The \$1,000.00 application fee has been paid, and no real estate taxes or water bills are owed to the City.

Two family – Purchased vacant November 2006

Seeking Two Removal Permits

On a motion duly made and seconded, it was

VOTED: to grant a Removal Permit for the Unit located at 45 Russell Road and a Removal Permit for the Unit located at 47 Russell Road – location 45-47 Russell Road.

WARD ONE PRECINCT TWO

23-25 Michigan Avenue – Application of Shirley Li, a Certificate of Exemption for Unit Two located at 25 Michigan Avenue – The \$500.00 application fee has been paid.

Owner is seeking a Certificate of Exemption for the Unit in which she resides – located at 25 Michigan Avenue –

Owner was not able to receive a stamped Municipal Lien Balance Worksheet showing water and taxes from the Treasury Department

Water Department stated that the Water Meter had been not working properly for the last three years, there were readings taken and owner paid the balance requested – the Water Department stated the Meter was stuck and that they had sent a letter to owner stating so, owner states that she never received letter from Water Department – Water Department stated the amount paid on these bills did not meet the amount of water used – the Water Department installed a new meter on May 15th or May 16th 2007 at the residence – Water Department stated they could not give a final Water reading for at least Two weeks or so, that they need to monitor the amount of water used in that time frame and could issue a pro-rated bill – the owner has the right to appeal the bill if she feels the bill is incorrect. Once the Water Bill is issued and then paid, the owner will be able to get the missing portion needed to complete the application.

The owner is going out of the Country for most of the Summer, the owner would like to have this portion of the conversion process in place before going away.

The Commissioners on a motion duly made and seconded

Voted: to grant the Certificate of Exemption for the Unit located at 25 Michigan Avenue – location 23-25 Michigan Avenue - when the water bill was paid and the stamped Municipal Lien Balance Worksheet was received in the Condominium Review Board Office.

WARD TWO PRECINCT TWO

39-41 Calvin Street – Application of James Mega, a Removal Permit for Three Units – Attorney Anthony Troiano III, One Thompson Square, Charlestown, MA represented the applicant – The \$1,500.00 application fee has been paid, and no real estate taxes or water bills are owed to the City.

Three family – Purchased vacant 2005

Building has remained vacant since being purchased

Seeking Three Removal Permits

On a motion duly made and seconded, it was

VOTED: to grant a Removal Permit for Unit One located at 39 Calvin Street and Unit Two and Unit Three located at 41 Calvin Street – location 39-41 Calvin Street.

WARD THREE PRECINCT THREE

59 Craigie Street – Application of James Mega, a Removal Permit for Three Units – Attorney Anthony Troiano III, One Thompson Square, Charlestown, MA represented the applicant – The \$1,500.00 application fee has been paid, and no real estate taxes or water bills are owed to the City.

Three Family – Purchased vacant 2005

Building has remained vacant since being purchased

Seeking Three Removal Permits

On a motion duly made and seconded, it was

VOTED: to grant a Removal Permit for Unit One, Unit Two and Unit Three located at 59 Craigie Street.

LATE SUBMITTAL

WARD FIVE PRECINCT ONE

9-9a Glenwood Road – Application of Rhett Richard, a Removal Permit for One Unit and a Certificate of Exemption for One Unit – The \$1,000.00 application fee has been paid, and no real estate taxes or water bills are owed to the City.

Two family – Purchased February 2005

Unit One is owner occupied – Owner will be moving into Unit Two within the next month or two – and wishes to sell Unit One

Unit Two – Tenants vacated April 2007 – One roommate moved, the other two did not wish to stay and moved to a smaller apartment to save monies and be nearer the T –

On a motion duly made and seconded, it was

VOTED: to grant a Removal Permit for Unit One located at 9 Glenwood Road and a Certificate of Exemption for Unit Two located at 9A Glenwood Road – location 9-9A Glenwood Road.

The Commissioners also addressed a question that the Office had received concerning a Two Unit property that had been granted Removal Permits August 2002, a Master Deed has never been filed, new tenants had moved into one of the Units and the owner was not thinking of going forward with completing the process maybe for another two years – the owner’s question was if changes were going to be made to the Ordinance in place now –would he not be grand fathered in when he decides to complete the conversion process – the Commissioners agreed that even though there is no time frame in the Ordinance dealing with the Conversion process, it seems like he has abandoned the conversion process and would need to start again – five years is a long time not to have completed process. I was to relay this decision to the owner when he called the Office.

The Commissioners also addressed a question dealing with 1-5 Newton Place – the owner is planning to convert to Condos – it was explained to him that a notification process needed to be done to the tenants occupying Units – he has two vacant units and would like to go convert these Units – his question pertained to the property, the Master Deed stated that there were five two family dwellings on one lot – the owner bought the property as such and received five separate tax and water bills – 2001 the property was assessed as a Ten Unit Building –there is one roof covering the five separate door dwellings-the owner now receives one tax bill-but still receives five separate water bills due to the fact of five separate water meters-the owner wanted to know when applying for Removal Permits does he apply as a Ten Unit building or Five separate dwellings of Two Units each? The Commissioners agreed

that the owner when he comes before the Board for approval, apply as Five separate buildings consisting of Two units each.

The Commissioners also agreed that 25 Linden Avenue, that the owner of Two of the units located in this Seventeen Unit building would have to have the Association pay all of the back taxes due on the property, even though the owner of the Two Units says that they have paid their share of the taxes and have receipts to show of their payment, the owner is selling One of the Units that he owns and needs to receive a Removal Permit. The Commissioners agreed that this is a problem with this property but the taxes and water need to be paid before the sale can take place.

The Commissioners were updated on the Ordinance working group that they were still working on proposals to a new Ordinance.

The Commissioners were informed Monica R. Lamboy the new director of Housing had started May 14th, 2007.

The Commissioners were informed that ISD and Fire Prevention were contacted, hoping that these Two Departments might be able to recommend some changes in granting permits to homeowners dealing with the conversion process.

The Commissioners agreed a meeting was needed to discuss issues before the next scheduled June 25, 2007 meeting, they needed to check their schedules.

MINUTES:

On a motion duly made and seconded, it was

VOTED: to accept the Minutes of the April 30, 2007 Meeting.

There being no further business to come before the Board, the Meeting was adjourned.

The next scheduled Meeting of the Board is for Monday June 25, 2007, if the Commissioners do not call for a Special Meeting .

Respectfully submitted,

Mary Walker