

1608 Commonwealth Ave.

Ratification of Prior Landmark Violation and
Approval of New Signage Application

History

- 8/29/2016 133 Marlboro Street LLC Purchases the Property
- 2019 East Boston Savings Bank Enters into Lease and Plans Renovations
- 7/12/2019 City Issue Alteration Permit to Auburn Construction
- 8/28/2019 AACDC Mails Violation Letter to 133 Marlboro St.
- 8/29/2019 City Inspects Windows on Project
- 11/22/2019 City Issues Certificate of Use and Occupancy
- 11/12/2021 Rockland Trust Company Acquires East Boston Savings
- The Notice of Violation is not in chain of title or in files Rockland receives from East Boston
- 11/2021 Rockland Trust Company enters into agreement to assign Lease/ Location to HarborOne Bank
- 11/2021 HarborOne Bank attempts to pull sign permit and discovers Violation

Prior State – Approved



Current State – Property Vacant



**RATIFICATION PROPOSAL
1608-1610 COMMONWEALTH AVENUE, BRIGHTON
TO ABERDEEN ARCHITECTURAL CONSERVATION
DISTRICT COMMISSION**

On behalf of property owner 133 Marlboro Street LLC (“Current Owner”), Rockland Trust Company (“Rockland Trust”), as successor to East Boston Savings Bank (“East Boston”) which is the tenant of 1608-1610 Commonwealth Avenue, Brighton (the “Property”), seeks ratification of the renovation of the Property which East Boston performed in 2019 to convert the Property from its prior use as a deli to its current use as a bank branch (the “Work”). Rockland Trust assumed the lease as part of its acquisition of East Boston in 2021. In conjunction with that acquisition, Rockland Trust received no notice of Violation # 20.016 issued by the Aberdeen Architectural Conservation District Commission (“AACDC”) attached as Exhibit 1 (the “Violation”). However, Rockland Trust acknowledges the need to resolve the outstanding violation.

The Work was performed by an experienced contractor, David Kelliher of Auburn Construction. Mr. Kelliher applied for the alteration permit for the work, which included the renovation of the façade. The plans for the work submitted with the application for the permit are enclosed as a supporting document. Based upon the plans submitted, the Boston Inspection Services Division issued the permit on July 12, 2019 (the “Permit”), attached as Exhibit 2. The Permit states that it allows its holder “To erect, enlarge, alter, substantially repair, move, demolish or change occupancy of building or structure.” As noted on the Permit, representatives of the City of Boston regularly inspected the Work as it was conducted. A Certificate of Use and Occupancy was issued by the Boston Inspectional Services Department on November 22, 2019, attached as Exhibit 3.

Rockland Trust has contracted with HarborOne Bank (“HarborOne”) to transfer the lease (the “Transfer”). In conjunction with its application to alter signage on the Property consistent with the Transfer, HarborOne discovered the Violation. The Transfer will keep the Property occupied as a bank branch in a manner that enhances the surrounding neighborhood. Rockland Trust therefore respectfully requests that the AACDC ratify the Work to allow the transfer of the lease to HarborOne expeditiously. If the AACDC imposes conditions on such ratification, Rockland Trust requests that such conditions be scheduled for review at the earliest opportunity.

EXHIBIT 1



CITY OF BOSTON

THE ENVIRONMENT DEPARTMENT

Boston City Hall, Room 709 • Boston, MA 02201 • 617/635-3850 • FAX: 617/635-3435

August 28, 2019

ABERDEEN ARCHITECTURAL CONSERVATION DISTRICT COMMISSION

133 Marlboro Street LLC
c/o Capital Stack Commercial Real Estate Finance
One Boston Place, Suite 2600
Boston, MA 02108

Violation #: VIO.20.016
Property: 1608-1610 Commonwealth Avenue

To Whom It May Concern:

It has come to the attention of the Aberdeen Architectural Conservation District Commission (AACDC) that work has been completed at the above-mentioned property without AACDC prior review and approval.

The scope of work includes the removal of windows and trim elements without approval of the AACDC or building permits. Please contact Commission staff at 617.635.3850 or AberdeenACDC@boston.gov at your earliest convenience to discuss this issue.

Failure to respond to this request may result in the issuance of a Notice of Violation. For more information about the Aberdeen Architectural Conservation District which was created under Chapter 772 of the Acts of 1975 of the Massachusetts General Law please visit: www.boston.gov/landmarks.

Sincerely,

Joseph Cornish
Aberdeen Architectural Conservation District Commission

EXHIBIT 2



Boston Inspectional Services Department
Building and Structures Division

1010 Massachusetts Avenue Boston, MA 02118 Telephone: (617) 635-5300

Martin J. Walsh
 Mayor

Sean Lydon
 Inspector of Buildings

ALTERATION PERMIT

To erect, enlarge, alter, substantially repair, move, demolish or change occupancy of building or structure

Name of Applicant: **David Kelliher** Issue Date: **07/12/2019**
 Name of Owner: Fees: **\$6,308.00**
 Location: **1606 - 1622 Commonwealth AV** Declared Value: **\$610,000.00**
 Neighborhood: **Boston Ward: 21** Legal Occupancy: **LAUNDROMAT & DRY CLEANERS, RESTAURANT 336A/37, REAL ESTATE OFFICE & RESTAURANT AND RESTAURANT #36A.ALT15169/2012**
 Application/Permit No.: **ALT949824**

WORK DESCRIPTION: **East Boston Savings Bank - Change Occupancy from a Laundromat & dry cleaners, restaurant 336a/37, real estate office & restaurant and restaurant to the same with a Bank Use. Renovation of space to become a Bank.**

- Requirements:**
1. Before any construction commences, this permit must be posted at the front of the street address, affixed to a window and open to public inspection until the completion of work.
 2. Rough inspections are required for: excavation before concrete is poured; before foundation work is covered; when rough wiring or plumbing is completed; prior to insulating or closing of walls.
 3. Final inspections for mechanical and/or electrical shall be done prior to obtaining the final approval by the Building Inspector.
 4. The holder must call the District Inspector to arrange for all inspections: 617 635-5300.

Date	Building Inspector	Insp Type	Date	Building Inspector	Insp Type
11/15/19	John McLessey	Site exam	9/30/19	John McLessey	Final
11/15/19	John McLessey	Final	11/11/19	John McLessey	Above ceiling
Date	Electrical Inspector	Insp Type	Date	Electrical Inspector	Insp Type
9/27/19	John McLessey	Rough 1st	11/1/19	Ke McK	Above Cert.
11/15/19	John McLessey	Final			
Date	Mech Inspector	Insp Type	Date	Mech Inspector	Insp Type
9-25-19	BW	Rough			
11-14-19	BW	Final OK			

Construction work is permitted from Mon - Fri, 7am to 6pm, CBC Ord. 16-26.4

THIS CARD MUST BE DISPLAYED IN A CONSPICUOUS PLACE ON THE PREMISES

8/29 THURS 11:00 AM

BUILDING INSPECTOR STOPPED BY
SPOKE ABOUT WINDOWS
HE OKED ROOF STRUCTURAL
+ DUCT WORK

4/30 MON ROUGH FRAMK + INSUL

EXHIBIT 3



Boston Inspectional Services Department
Building and Structures Division

1010 Massachusetts Avenue Boston, MA 02118 Telephone: (617) 635-5300

Martin J. Walsh
Mayor

Sean Lydon
Inspector of Buildings

CERTIFICATE OF USE AND OCCUPANCY

Certificate # **COO1023956**

Issued: **11/22/2019**

IN ACCORDANCE WITH THE PROVISIONS OF MASS. GEN. LAWS CH. 143 S. 1 ET. SEQ., AS AMENDED, TO WIT, SECTION 119.0, A CERTIFICATE OF USE AND OCCUPANCY IS ISSUED FOR THE BUILDING LOCATED AT:

1606 - 1622 Commonwealth AV
Boston, MA 02135
Ward: 21

IN SUFFOLK COUNTY, COMMONWEALTH OF MASSACHUSETTS. THIS CERTIFIES THAT THE USE GROUP, THE FIRE GRADING, THE MAXIMUM LOAD AND THE OCCUPANCY LOAD COMPLIES WITH THE COMMONWEALTH OF MASSACHUSETTS STATE BUILDING CODE BY ISSUE OF PERMIT(S) LISTED BELOW BY THE INSPECTIONAL SERVICES COMMISSIONER OF THE CITY OF BOSTON, THE ALLOWED USE AND OCCUPANCY IS:

Laundromat & Dry Cleaners, Restaurant 36A/37, Restaurant, Restaurant
#36A & Bank

Certificate for: Bank @ 1608

Alt949824 - 7/12/19

ISSUANCE OF THIS CERTIFICATE INDICATES THERE ARE NO OUTSTANDING VIOLATIONS AGAINST THIS PROPERTY. ALL PRIOR CERTIFICATES OF USE AND OCCUPANCY FOR THIS STRUCTURE ARE NULL AND VOID.

Sean Lydon
Inspector of Buildings