

11 Dana Ave. going to court

Mary Ellen Gambon
Staff Reporter

The Zoning Board of Appeals decision on the long-contentious 11 Dana Ave. 24-unit development is going to be appealed, outgoing Hyde Park Neighborhood Association (HPNA) president Jim Kirker announced at the group's meeting on Thursday, May 6.

"Ralph Rosati has decided to appeal the decision of the ZBA," he said of the abutter who brought forth the original appeal. "And so it's going to go to court."

He added that the association previously had voted to support Rosati with costs for the appeal, up to \$500. Kirker explained that Rosati had been waiting for paperwork to be received from the ZBA before he could submit it. The deadline is Thursday, May 20, but he expects to file earlier in the week.

The case is unusual because the building is already well under construction, although there has been back and forth between the group, the ZBA, the Inspectional Services Department (ISD) and the Boston Planning and Development Agency (BPDA) as to whether it was an "as of right project" that did not require variances. Without giving away too much legal strategy, members discussed requesting that the judge rule that the ZBA made an error in its ruling and asking for affordable housing mitigation. If the building had not been determined "as of right," four of the units would have been made affordable based on the city's affordable housing standard of 13 percent of total units.

"Certainly the court can say, 'All right, City Hall, you messed this up,'" said Craig Martin. "Make sure you reserve a portion for perpetuity for affordable housing, which was obviously the thing they were trying to evade."

He added that the ZBA sealed the records after sending them to the City attorney, which Martin said "was unheard of." The ZBA hearing had been continued for one day when the record was forwarded to the



The 11 Dana Ave. saga continues as residents prepare their case against the developer.

PHOTO BY MATT MACDONALD

City attorney for review, but the attorney's comments never were referenced in the decision.

Another development project that has united several communities in activism is the Crane Ledge proposed development at 990 American Legion Hwy. at the Hyde Park-Roslindale-Mattapan intersection. Lokita Jackson, chair of the Roseberry Ruskindale Road Neighborhood Association (RRRd) and a Crane Ledge Woods Coalition (CLWC) member, gave the HPNA an update about its community meeting the previous month.

"Where we stand right now is we're looking at more meetings with our elected officials," she said. Another goal was "to definitely get the community residents more engaged with advocacy, calling and emailing their elected officials and expressing their viewpoints to save and conserve Crane Ledge Woods."

Kirker said that District 5 City Councilor Ricardo Arroyo, who represents parts of all three communities, attended a CLWC committee meeting and read a letter from the pastor of the Jubilee Christian Church, which owns the property, to Acting Mayor Kim Janey and himself.

"Basically it said that the church was not going to enter into any agreement with a third party, the city or individuals," he said. "They have an agreement with Lincoln Property and that's what they are sticking with. So this idea that people were going to be able to nego-

tiate them away from Lincoln Property and have the city buy the property or individuals buy the property was not going to happen."

"They very much were trying to plant a flag and say, 'We're not doing this,'" added Mimi Turchinetz, the newly-elected HPNA president and CLWC member. "That changes our strategy a little, so we just have to ratchet up our pressure."

Jackson added that Janey did commit to working with the neighborhood and touring Crane Ledge at a forum held the previous week by the West Fairmount Hill Community Group (WFHCG).

"The thing I really like about the whole Crane Ledge thing is that it is getting a lot of people involved," Kirker said, noting that people in Jamaica Plain and West Roxbury expressed an interest to help. "There's a big advantage because everybody can visualize an evil developer mowing down all of the trees and killing Bambi."

Frank O'Brien brought up another issue of environmental interest – the potential to get Sprague Pond as a "great pond." By Massachusetts statutes, a great pond is a pond or lake that is at least 10 acres in size, or was at some point. All great ponds must be accessible for fishing and boating.

"It's really an important site in a number of ways," he explained, noting that the 54th

Dana Ave.

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Guinnane Retires *continued from page 6*

We thank Grace for her time, dedication, and commitment to the Ohrenberger Community Center, students, and families.

The Ohrenberger Community Center Council would like to send our well wishes to Grace on her well-deserved retirement and express our profound thanks to Grace, Maggie, and Pat for their service to our community center, students, and families. We welcome the community to share any memories or impactful stories they may have of Grace, Pat, or Maggie. We are plan-

ning to place the memories in a book so we may send these teachers a memorable token book filled with years of precious memories. Please feel free to email or send to the Ohrenberger Community Center c/o Grace, Pat, or Maggie.

Ohrenberger Community Center 175 West Boundary Road West Roxbury, MA 02132
Email: occpreschool175@gmail.com

Due to Covid restrictions our big celebration of thanks will be announced sometime in the fall.

Commonwealth of Massachusetts
The Trial Court Probate and Family Court

CITATION ON PETITION FOR SALE OF REAL ESTATE BY A PERSONAL REPRESENTATIVE **DOCKET No. SU19P2098EA**

Estate of: Gene Lysen **Suffolk Probate and Family Court**
24 New Chardon Street
Boston, MA 02114
617-788-8300

Date of Death: 06/03/2019

To all interested persons:
A Petition for Sale of Real Estate has been filed by:
Dmitry David of Huntington Valley, PA
Requesting that the court authorize the Personal Representative to sell the decedent's real estate at a private sale.

IMPORTANT NOTICE

You have the right to obtain a copy of the Petition from the Petitioner or at the court. **You have a right to object to this proceeding.** To do so, you or your attorney must file a written appearance and objection at this court before: 10:00 a.m. on the return day of **07/05/2021**. This is NOT a hearing date, but a deadline by which you must file a written appearance and objection if you object to this proceeding. If you fail to file a timely written appearance and objection followed by an affidavit of objections within thirty (30) days of this return day, action may be taken without further notice to you.

WITNESS, Hon. Brian J. Dunn, First Justice of this Court
Date: May 24, 2021
Felix D. Arroyo, Register of Probate

Boston Bulletin: 06/03/2021

Commonwealth of Massachusetts
The Trial Court – Probate and Family Court Department
SUFFOLK Division **Docket No. SU21P0939PM**

CITATION GIVING NOTICE OF PETITION FOR APPOINTMENT OF CONSERVATOR OR OTHER PROTECTIVE ORDER PURSUANT TO G.L. c. 190B, §5-304 §5-405

In the matter of: Jose Miranda **RESPONDENT**
Of: Boston, MA **(Person to be Protected/Minor)**

To The named Respondent and all other interested persons, a petition has been filed by Massachusetts General Hospital of Boston, MA

In the above captioned matter alleging that **Jose Miranda** is in need of a Conservator or other protective order and requesting that **Brian J. McLaughlin, Esq. of Boston, MA** (or some other suitable person) be appointed as Conservator to serve **Without Surety** on the bond.

The petition asks the Court to determine that the Respondent is disabled, that the protective order or appointment of Conservator is necessary, and that the proposed Conservator is appropriate. The petition is on file with this court.

You have the right to object to this proceeding. If you wish to do so, you or your attorney must file a written appearance at this court on or before 10:00A.M. on the return date of **07/02/2021**. This day is NOT a hearing date, but a deadline date by which you have to file the written appearance if you object to the petition. If you fail to file the written appearance by the return date, action may be taken in this matter without further notice to you. In addition to filing the written appearance, you or your attorney must file a written affidavit stating the specific facts and grounds of your objection within 30 days after the return date.

IMPORTANT NOTICE

The outcome of this proceeding may limit or completely take away the above-named person's right to make decisions about personal affairs or financial affairs or both. The above-named person has the right to ask for a lawyer. Anyone may make this request on behalf of the above-named person. If the above-named person cannot afford a lawyer, one may be appointed at State expense.

Witness, Hon. Brian J. Dunn, First Justice of this Court
May 21, 2021
Felix D. Arroyo, Register of Probate

Boston Bulletin: 06/03/2021

Commonwealth of Massachusetts
The Trial Court Probate and Family Court

CITATION ON PETITION FOR FORMAL ADJUDICATION **DOCKET No. SU20P2139EA**

Estate of: John F Hesketh **Suffolk Probate and Family Court**
24 New Chardon Street
Boston, MA 02114
617-788-8300

Date of Death: 07/30/2020

To all interested persons:
A Petition for **Formal Probate of Will with Appointment of Personal Representative has been filed by** **Walter J. Kelly of West Roxbury, MA** requesting that the Court enter a formal Decree and Order and for such other relief as requested in the Petition.
The Petitioner requests that:
Walter J Kelly of West Roxbury, MA be appointed as Personal Representative(s) of said estate to serve **Without Surety** on the bond in unsupervised administration.

IMPORTANT NOTICE

You have the right to obtain a copy of the Petition from the Petitioner or at the Court. **You have a right to object to this proceeding.** To do so, you or your attorney must file a written appearance and objection at this Court before: 10:00 A.M. on the return day of **07/08/2021**. This is NOT a hearing date, but a deadline by which you must file a written appearance and objection if you object to this proceeding. If you fail to file a timely written appearance and objection followed by an Affidavit of Objections within thirty (30) days of the return day, action may be taken without further notice to you.

UNSUPERVISED ADMINISTRATION UNDER THE MASSACHUSETTS UNIFORM PROBATE CODE (MUPC)

A Personal Representative appointed under the MUPC in an unsupervised administration is not required to file an inventory or annual accounts with the Court. Persons interested in the estate are entitled to notice regarding the administration directly from the Personal Representative and may petition the Court in any matter relating to the estate, including the distribution of assets and expenses of administration.

WITNESS, Hon. Brian J. Dunn, First Justice of this Court
Date: May 27, 2021
Felix D. Arroyo, Register of Probate

West Roxbury/Roslindale Bulletin: 06/03/21

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Legals

Commonwealth of Massachusetts
The Trial Court Probate and Family Court

CITATION ON PETITION FOR FORMAL APPOINTMENT OF SUCCESSOR PERSONAL REPRESENTATIVE **DOCKET No. 479170**

Estate of: Margaret Tennant **Suffolk Probate and Family Court**
24 New Chardon Street
Boston, MA 02114
617-788-8300

Date of Death: 03/15/1973

To all interested persons:
A Petition has been filed by:
Brenda Tennant of Merrimack, NH
Requesting that the Court enter a formal Decree and Order that **Brenda J Tennant of Merrimack, NH** be appointed as Successor Personal Representative(s) of said estate to serve on the bond and for such other relief as requested in the Petition.

You have the right to obtain a copy of the Petition from the Petitioner or at the Court. **You have the right to object to this proceeding.** To do so, you or your attorney must file a written appearance and objection at this Court before: 10:00 a.m. on **06/29/2021**. This is NOT a hearing date, but a deadline by which you must file a written appearance and objection if you object to this proceeding. If you fail to file a timely written appearance and objection followed by an Affidavit of Objections within thirty (30) days of the return date, action may be taken without further notice to you.

The estate is being administered under formal procedure by the Personal Representative under the Massachusetts Uniform Probate Code without supervision by the Court. Inventory and accounts are not required to be filed with the Court, but recipients are entitled to notice regarding the administration from the Personal Representative and can petition the Court in any matter relating to the estate, including distribution of assets and expenses of administration.

WITNESS, Hon. Brian J. Dunn, First Justice of this Court
May 18, 2021
Felix D. Arroyo, Register of Probate

Boston Bulletin: 06/03/21

SUPPLEMENTAL SUMMONS AND NOTICE

Supreme Court of New York, Albany County. U.S. BANK TRUST NATIONAL ASSOCIATION AS TRUSTEE OF THE LODGE SERIES III TRUST, Plaintiff-against-HEIRS AND DISTRIBUTORS OF LOUIS KUNIAN A/K/A LOUIS A. KUNIAN, NIAGARA MOHAWK POWER CORPORATION D/B/A NATIONAL GRID, NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE, UNITED STATES OF AMERICA (NORTHERN DISTRICT), ARNOLD M. KUNIAN AS HEIR AND DISTRIBUTOR OF THE ESTATE OF LOUIS KUNIAN A/K/A LOUIS A. KUNIAN, "JOHN DOE" and "JANE DOE" said names being fictitious, it being the intention of Plaintiff to designate any and all occupants of the premises being foreclosed herein, Defendants. Index No. 903415-20. Mortgaged Premises: 206 Jefferson Street, Albany, NY 12210Section: 76.31Block: 3Lot: 51. To The Above Named Defendant(s): **YOU ARE HEREBY SUMMONED** to answer the Complaint in the above entitled action and to serve a copy of your Answer on the Plaintiff's attorney within twenty (20) days of the service of this Summons, exclusive of the day of service, or within thirty (30) days after service of the same is complete where service is made in any manner other than by personal delivery within the State. The United States of America, if designated as a Defendant in this action, may answer or appear within sixty (60) days of service. If you fail to appear or to answer within the aforementioned time frame, judgment will be taken against you by default for the relief demanded in the Complaint. **NOTICE OF NATURE OF ACTION AND RELIEF SOUGHT** THE OBJECTIVE of the above captioned action is to foreclose on a Mortgage to secure \$96,000.00 and interest, recorded in the Albany County Clerk's Office on October 11, 2005 in Book 5078, Page 413, Document Number 9573375, covering the premises known as 206 Jefferson Street, Albany, New York 12210. The relief sought herein is a final judgment directing sale of the premises described above to satisfy the debt secured by the mortgage described above. Plaintiff designates Albany County as the place of trial. Venue is based upon the County in which the mortgaged premises is located. **NOTICE YOU ARE IN DANGER OF LOSING YOUR HOME** If you do not respond to this summons and complaint by serving a copy of the answer on the attorney for the mortgage company who filed this foreclosure proceeding against you and filing the answer with the court, a default judgment may be entered and you can lose your home. Speak to an attorney or go to the court where your case is pending for further information on how to answer the summons and protect your property. Sending a payment to your mortgage company will not stop this foreclosure action. **YOU MUST RESPOND BY SERVING A COPY OF THE ANSWER ON THE ATTORNEY FOR THE PLAINTIFF (MORTGAGE COMPANY) AND FILING THE ANSWER WITH THE COURT. FRIEDMAN VARTOLO, LLP 85 Broad Street, Suite 501, New York, New York 10004, (212) 471-5100, Attorneys for Plaintiff.**

West Roxbury/Roslindale Bulletin: 06/03/21, 06/10/21, 06/17/21, 06/24/21

Dava Ave.

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Regiment, the first all-Black regiment to fight in the Civil War, was stationed there at Camp Meigs. There was also an Indigenous settlement there at one point.

O'Brien said a developer has been hoping to build on a parcel of about an acre of the land there.

"It's much smaller than Crane Ledge, but a lot of the arguments and issues are the same," he added, noting that Sprague Pond was more than 10 acres at one point before the railroad was built.

The Hyde Park Historical Society filed a petition for great pond status with the Massachusetts Department of Environmental Protection (MassDEP), according to O'Brien and the MassDEP website. A hearing was held on Thursday, May 13. Public comment will be accepted until Wednesday, June 2. For a copy of the petition, email DEP.Waterways@mass.gov.

In other news, Turchinets was voted in as the new HPNA president. Ralph Cotelleso will continue as vice president, Denise Dodds as secretary and Val Mayo as treasurer.

Commonwealth of Massachusetts
The Trial Court
Probate and Family Court Department
SUFFOLK Division **Docket No. SU21C0133CA**

CITATION ON PETITION TO CHANGE NAME

Suffolk Probate and Family Court
24 New Chardon Street
Boston, MA 02114
617-788-8300

In the Matter of:
Ramiro Matias Gonzalez Lorca

A Petition to Change Name of Adult has been filed by

Ramiro Matias Gonzalez Lorca of Allston, MA

requesting that the court enter a Decree changing their name to:
Ramiro Lorca

IMPORTANT NOTICE

Any person may appear for purposes of objecting to the petition by filing an appearance at: **Suffolk Probate and Family Court** before 10:00 a.m. on the return day of 07/01/2021. This is NOT a hearing date, but a deadline by which you must file a written appearance if you object to this proceeding.

WITNESS, Hon. Brian J. Dunn, First Justice of this Court
Date: May 25, 2021
Felix D. Arroyo, Register of Probate

Boston Bulletin: 06/03/2021

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