



City of Somerville

# ZONING BOARD OF APPEALS

City Hall, 93 Highland Avenue, Somerville MA 02143

## DECISION

2026 JUL 22 P 2:23

**PROPERTY ADDRESS:** 6 Wheatland Street  
**CASE NUMBER:** ZP26-000019  
**OWNER:** NPO Properties LLC  
**OWNER ADDRESS:** 264 Salem Street, Medford, MA 02155  
**APPLICANT:** NPO Properties LLC  
**APPLICANT ADDRESS:** 264 Salem Street, Medford, MA 02155  
**DECISION:** Approved with Conditions (Hardship Variance)  
**DATE OF VOTE:** July 15, 2026  
**DECISION ISSUED:** July 22, 2026

CITY CLERK'S OFFICE  
SOMERVILLE, MA

This decision summarizes the findings made by the Zoning Board of Appeals (the "Board") regarding the hardship variance application submitted for 6 Wheatland Street.

## LEGAL NOTICE

### 6 Wheatland Street - ZP26-000019

Adam Dash, Esq. on behalf of Nelson Group Construction Corp. seeks relief from SZO 10.3.6.a.i, to build a new three (3) story apartment building that does not meet the landscape buffer requirements in the Mid-Rise 3 (MR3) zoning district, which requires a Hardship Variance.

## RECORD OF PROCEEDINGS

On July 15, 2026, the Zoning Board of Appeals held a public hearing advertised in accordance with M.G.L. 40A and the Somerville Zoning Ordinance. Present and sitting at the public hearing were Board Members, Acting-Chair Anne Brockelman, Acting Clerk Olivia Mobayed, Zach Zaremba and Alternate members Brian Cook and Sisia Daglian. Adam Dash (agent) and other members of the project team gave a presentation of the overview of the project. The Board asked a clarifying question regarding the location of the proposed driveway and the impact the required landscape buffer would have on the project, and about the green score calculations compliance. After this discussion between the Board and the applicant team, the Board moved to vote. There was no public comment.

## PLANS & DOCUMENTS

Application plans, documents, and supporting materials submitted and incorporated are identified below.

| Document                            | Pages | Prepared By                                                                      | Date              | Revision Date |
|-------------------------------------|-------|----------------------------------------------------------------------------------|-------------------|---------------|
| Front Façade<br>Variance Narrative  | 6     | Adam Dash, Esq.<br>48 Grove St #304<br>Somerville, MA 02144                      | March 3, 2026     | N/A           |
| Plot Plan                           | 7     | George C. Collins, P.L.S<br>Unit C-4 Shipway Place<br>Charlestown, MA 02129      | December 28, 2024 | N/A           |
| Landscape Plan                      | 1     | Marc Mazzearelli Associates LLC<br>284 Concord Avenue<br>Cambridge, MA 02138     | April 20, 2026    | N/A           |
| Building Plans                      | 12    | KHALSA DESIGN, INC.<br>17 Ivaloo Street, Suite 400<br>Somerville, MA 02143       | July 8, 2026      | N/A           |
| Shadow Study                        | 8     | KHALSA DESIGN, INC.<br>17 Ivaloo Street, Suite 400<br>Somerville, MA 02143       | February 11, 2026 | N/A           |
| UDC Design Review<br>Recommendation | 2     | Somerville Urban Design Commission<br>93 Highland Avenue<br>Somerville, MA 02143 | November 25, 2025 | N/A           |
| Neighborhood<br>Meeting Report #1   | 24    | Adam Dash, Esq.<br>48 Grove St #304<br>Somerville, MA 02144                      | June 30, 2025     | N/A           |
| Neighborhood<br>Meeting Report #2   | 31    | Adam Dash, Esq.<br>48 Grove St #304<br>Somerville, MA 02144                      | January 26, 2026  | N/A           |

## HARDSHIP VARIANCE FINDINGS

In accordance with M.G.L. 40A and the Somerville Zoning Ordinance, the Board may grant a hardship variance only upon finding all of the following for each hardship variance:

- a) Special circumstances exist relating to the soil conditions, shape, or topography of a parcel of land or the unusual character of an existing structure but not affecting generally the zoning district in which the land or structure is located;

The Board finds that the narrowness of the lot, the presence of a commercial building to the left side when facing the street and the necessity to move the proposed structure away from the other abutting residential building in a different zoning district impede the Applicant to meet the 10.3.6.a.i SZO requirements.

- b) Literal enforcement of the provision of this Ordinance for the district where the subject land or structure is located would involve substantial hardship, financial or otherwise, to the petitioner or appellant due to said special circumstances;

The Board finds that literal enforcement of the landscape buffer ordinance would negate the dimension of a driveway and aggravate other zoning requirements. Therefor this would create financial hardship for the applicant.

- c) Desirable relief could be granted without causing substantial detriment to the public good and without nullifying or substantially derogating from the intent and purpose of the Neighborhood Residence district in this Ordinance or the Ordinance in general.

The Board finds that desirable relief can be granted without causing substantial detriment to the public good and without nullifying or substantially derogating from the intent and purpose of the Mid-Rise 3 (MR3) zoning district and the Ordinance in general. The proposed project integrates and supports the Master Plan Objectives and new development. Additionally, creating a driveway and off-street parking will be beneficial to the neighborhood due to the limited on-street parking.

## DECISION

Following public testimony, review of the submitted plans, and discussion of the statutorily required considerations, Acting Clerk Olivia Mobayed moved to approve the Hardship Variance to build a new three (3) story apartment building that does not meet the landscape buffer requirements in the Mid-Rise 3 (MR3) zoning district with the conditions included in the staff memo dated July 9<sup>th</sup>, 2026. Sisia Daglian seconded. The Board voted **5-0** to approve the permit, subject to the following conditions:

### General

1. This Decision must be recorded with the Middlesex South Registry of Deeds.

### Prior to Building Permit

2. A digital copy of the recorded Decision stamped by the Middlesex South Registry of Deeds must be submitted to the Planning, Preservation, & Zoning Division for the public record.

Attest, by the Zoning Board of Appeals:



Anne Brockelman, *Vice-Chair*

Zach Zaremba  
Olivia Mobayed  
Brian Cook, *Alternate*  
Sisia Daglian, *Alternate*

**CLERK'S CERTIFICATE**

Any appeal of this decision must be filed within twenty days after the date this notice is filed in the Office of the City Clerk, and must be filed in accordance with M.G.L. c. 40A, sec. 17 and SZO sec. 15.5.3.

In accordance with M.G.L. c. 40 A, sec. 11, no variance shall take effect until a copy of the decision bearing the certification of the City Clerk that twenty days have elapsed after the decision has been filed in the Office of the City Clerk and no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied, is recorded in the Middlesex County Registry of Deeds and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title.

Also in accordance with M.G.L. c. 40 A, sec. 11, a special permit shall not take effect until a copy of the decision bearing the certification of the City Clerk that twenty days have elapsed after the decision has been filed in the Office of the City Clerk and either that no appeal has been filed or the appeal has been filed within such time, is recorded in the Middlesex County Registry of Deeds and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The person exercising rights under a duly appealed Special Permit does so at risk that a court will reverse the permit and that any construction performed under the permit may be ordered undone.

The owner or applicant shall pay the fee for recording or registering. Furthermore, a permit from the Division of Inspectional Services shall be required in order to proceed with any project favorably decided upon by this decision, and upon request, the Applicant shall present evidence to the Building Official that this decision is properly recorded.

This is a true and correct copy of the decision filed on \_\_\_\_\_ in the Office of the City Clerk, and twenty days have elapsed, and

**FOR VARIANCE(S) WITHIN**

\_\_\_\_\_ there have been no appeals filed in the Office of the City Clerk, or  
\_\_\_\_\_ any appeals that were filed have been finally dismissed or denied.

**FOR SPECIAL PERMIT(S) WITHIN**

\_\_\_\_\_ there have been no appeals filed in the Office of the City Clerk, or  
\_\_\_\_\_ there has been an appeal filed.

**FOR SITE PLAN APPROVAL(S) WITHIN**

\_\_\_\_\_ there have been no appeals filed in the Office of the City Clerk, or  
\_\_\_\_\_ there has been an appeal filed.

Signed \_\_\_\_\_ City Clerk Date \_\_\_\_\_