



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
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DAWN PEREIRA, *ADMINISTRATIVE ASSISTANT*

**Case #:** ZBA 2015-82-E1-2/2018  
**Date:** April 4, 2018  
**Recommendation:** Approval

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**PLANNING STAFF REPORT**

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**Site:** 88 Dover Street

**Applicant & Owner Name:** Nam Cheung, Sing Cheung, & So Ling Sheung

**Applicant & Owner Address:** 88 Dover Street, Somerville, MA 02143

**Agent:** Adam Dash

**Agent Address:** 48 Grove Street, Suite 304, Somerville, MA 02144

**Alderman:** Lance Davis

**Legal Notice:** Applicant, Sing Cheung, and Owners, Nam Cheung, Sing Cheung, and So Ling Sheung, seek to extend a Special Permit by one year under §5.3.10 of the SZO. RB zone. Ward 6.

**Dates of Public Hearing:** Zoning Board of Appeals – April 4, 2018

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**I. PROJECT DESCRIPTION**

**1. Subject Property:** The subject property is a c.1874 2-family, 2 ½ -story residence sited on a 6,970 square foot lot in the RB district.

**2. Proposal:** The proposal is to construct a 3-family residence with 6 parking spaces, 3 of which are compact.

**II. EVALUATION & FINDINGS FOR EXTENSION**

In SZO §5.3.10 good cause for an extension of a special permit shall be determined by the SPGA, and only upon a finding of demonstrated hardship (e.g. financing problems, labor strike, bad weather conditions, or act of God) and that there has been good faith effort to overcome the hardship and expedite progress.

### **Demonstration of Hardship**

The Applicant submitted the following information as part of their application to support of their application to extend their special permit by one year:

*“The property contained a two family residential structure and a garage, which have been demolished in order to construct a three family structure in accordance with the February 17, 2016 decision in ZBA#2015-82. The property is now a vacant lot. Applicant went through the Historic Preservation Commission demolition review process, applied for a demolition permit on August 4, 2017, obtained a demolition permit on September 28, 2017, and then demolished the existing structures. On September 13, 2017, his contractor applied for a building permit.*

*Applicant needs an extension of time for the special permits granted by the ZBA in 2016. Applicant had to go through the demolition review process a second time for the garage, had to obtain financing, and had to change one of the tradespersons due to a lack of a license. As a result, Applicant needs an extension. Applicant has been trying to move this project ahead as expeditiously as possible, but has run out of time. If granted the extension, Applicant will continue with the project. All of the rest of the information contained in this application are from the prior application, and no new plans or other documents have been filed. The most recent plans were filed with ISD.”*

### **Good Faith Effort to Overcome Hardship and Expedite Progress**

Despite the setbacks that the Applicant has experienced, the Applicant appears to have worked to move the project forward with respect to financing and obtaining properly-licensed personnel.

Based on the above, Planning Staff finds that the Applicant is making good faith efforts to overcome the demonstrated hardships. The project approved by the ZBA in 2016 went through numerous design iterations due to Planning Staff review and community input. Community input was provided through meetings sponsored by the previous ward alderman. Planning Staff prefers to see this approved project constructed rather than to see this property continue as a vacant, underutilized lot just outside of Davis Square.

### **III. RECOMMENDATION**

Planning Staff recommends that the Board grant the extension of the special permit until **February 17, 2019**, which is one year beyond the expiration date of the original Special Permit.