



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
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SARAH WHITE, *PLANNER/PRESERVATION PLANNER*  
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DAWN PEREIRA, *ADMINISTRATIVE ASSISTANT*

**Case #:** ZBA 2015-78-E1-9/2017

**Date:** October 18, 2017

**Recommendation:** Approval

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**PLANNING STAFF REPORT**

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**Site:** 35 Moreland Street

**Applicant & Owner Name:** Kevin Slattery & Marie Mullarkey

**Applicant & Owner Address:** 35 Moreland Street, Somerville, MA 02143

**Agent:** Richard Di Girolamo

**Agent Address:** 424 Broadway Somerville, MA 02145

**Alderman:** Tony Lafuente

**Legal Notice:** Applicants and Owners, Kevin Slattery and Marie Mullarkey, seek a one-year extension to the Special Permits issued by the ZBA in 2015 to demolish an existing single-family and construct a 3-family residence. RB zone. Ward 4.

**Dates of Public Hearing:** Zoning Board of Appeals – September 27, 2017

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**I. PROJECT DESCRIPTION**

- 1. Subject Property:** The subject property is an existing single-family structure on a .13 acre (5663 sq. ft.) lot in the RB district.
- 2. Proposal:** The proposal is to demolish an existing single-family structure (right) and replace it with a new, 3-family building. Five parking spaces and two bicycle spaces are proposed for the replacement building.



## **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 has submitted a letter (attached) explaining that, due to a change in family circumstances, they have been denied financing. Since the ZBA approvals of November 4, 2015, the Applicant and his wife have welcomed a baby into their family. In order to care for their child, the Applicant's wife left her employment. With the loss of this income stream, the Applicant no longer qualified for traditional financing for the approved project. The Applicant states that he has secured an investor/friend to cover the cost of construction of the approved 3-family structure. The Applicant further states that he has reached out to contractors to obtain quotes for the 3-family construction project.

Planning Staff finds that the Applicant encountered issues that constitute hardship which prevented the commencement of construction under the permit.

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

Despite the setbacks that the Applicant has experienced, the Applicant appears to have been working to put another financing and construction plan together in order to build the approved 3-family.

Based on the above, Planning Staff finds that the Applicant is making good faith efforts to overcome the demonstrated hardships.

## **III. RECOMMENDATION**

Planning Staff recommends that the Board grant the extension of the special permit until **November 4, 2018**, which is one year beyond the expiration date of the original Special Permit.