



CITY OF SOMERVILLE, MASSACHUSETTS
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT
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Case #: PB 2016-11-R1-10/18
Date: November 8, 2018
Recommendation: Approval

PLANNING STAFF REPORT

Site: 112 Broadway

Applicant & Owner Name: Augusto P. DaCunha
Applicant & Owner Address: 8 Jill's Way, Peabody, MA 01960
Agent: Richard G. Di Girolamo
Agent Address: 424 Broadway, Somerville, MA 02145
Alderman: Matthew McLaughlin

Legal Notice: Applicant and Owner, Augusto P. DaCunha, seeks to extend a Special Permit by one year under §5.3.10 of the SZO. Commercial Corridor District (CCD-55). Ward 1.

Dates of Public Hearing: Planning Board – November 8, 2018

I. PROJECT DESCRIPTION

1. Subject Property: The existing building is a 3-story mixed-use wood-framed structure in East Somerville with brick veneer on the front third of the building and siding on the remained. The lot is 1,688 square feet and the current building and rear deck cover 97% of the area. The basement is storage and mechanical space extending the full width of the lot and almost the entire length – the rear yard is 6', where the steps from the upper levels land. The first floor (ground) has a small commercial space at the front (currently Ola Café) and a 2-bedroom residential unit at the rear. The upper floors are smaller floor plates (approximately 1,066sf) and have 1 residential unit per floor, both with 3 bedrooms and rear decks.

2. Proposal: The application includes renovating and reconfiguring the entire building to finish the rear storage room of the basement, extend the first floor residential unit to capture the square footage of a stair, and expand the second and third floors to the extents of the first floor. The commercial space remains unchanged and the first floor residential is redesigned but remains a 2-bedroom unit. The second and third floor residential will both become 4 bedroom units.



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 to support their application to extend their special permit by one year:

The applicant /owner Augusto P. DaCunha, respectfully requests the extension as since being granting the Special Permit two (2) years ago he has suffered some health issues which slowed down the process of finding the best building contractor for this project. Further, Mr. DaCunha's sister had a severe stroke and he needed to take care of her as he is her only family.

Also, once his sister's health was stable he had some problems with his business that he also owns at 112 Broadway, Somerville, Massachusetts. Said problems stemmed from employees and Mr. DaCunha role in the business which operates as a café changed dramatically.

Staff finds the personal and familial medical issues, in combination with the business problems, to constitute a demonstrated hardship.

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 finding a building contractor. 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 **October 6, 2019**, which is one year beyond the expiration date of the original Special Permit.