



**CITY OF SOMERVILLE, MASSACHUSETTS**  
**MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT**  
**JOSEPH A. CURTATONE**  
**MAYOR**

GEORGE PROAKIS, AICP  
EXECUTIVE DIRECTOR

**PLANNING DIVISION STAFF**

SARAH LEWIS, *DIRECTOR OF PLANNING*  
DAN BARTMAN, *SENIOR PLANNER*  
SARAH WHITE, *PLANNER/PRESERVATION PLANNER*  
ALEX MELLO, *PLANNER*

**Case #:** ZBA 2017-53-E1-08-19  
**Date:** November 6, 2019  
**Recommendation:** Approval

---

**PLANNING STAFF REPORT**

---

**Site:** 103 Washington Street

**Applicant & Owner Name:** Clover Leaf Capital Holdings, LLC  
**Applicant & Owner Address:** 105 N. Washington Street, Boston MA 02114  
**Agent Name:** Adam Dash  
**Agent Address:** 48 Grove Street Suite 304 Somerville, MA 02144  
**Councillor:** Matt McLaughlin

**Legal Notice:** Applicant & Owner, Clover Leaf Capital Holdings, LLC, seek an Extension to their Special Permit under §5.3.10 of the SZO to exercise their previous approval for a mixed-use building with one commercial unit and 6 residential units. RC zone. Ward 1.

**Dates of Public Hearing:** November 6, 2019 - ZBA

---

**I. PROJECT DESCRIPTION**

**1. Subject Property:**

The existing property has been cleared and fenced at the corner of Washington Street and Franklin Street in East Somerville. The lot is a wedge shape of 5,544 sf and is in an RC zone.

On July 12, 2017, the ZBA approved, with conditions, a 3-story, mixed-use building with a commercial space and six (6) dwelling units. Parking relief under Section 9.13 was also granted.

**2. Proposal:**

The proposal is to extend the special permits by one year from their original expiration date. The new expiration date of the special permits would be July 12, 2020.

## **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) describing the nature of the challenges that have prevented the project from substantively moving forward. The Applicant offers this letter as a demonstration of hardship.

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 continually with Somerville ISD, the utility company (Eversource), and their engineer, and abutting property owners to resolve outstanding issues and move the project forward.

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 **July 12, 2020**, which is one year beyond the expiration date of the original Special Permit.



October 23, 2019

To whom it may concern,

The following outlines the events which delayed our completion of the building permit application process, and therefore delayed our ability to execute the conditions of the special permit, which had been granted for 103 Washington St. Due to these events, we are looking to apply for an extension with the City of Somerville.

**Electrical Pad Transformer:**

- The building permit plans called for new electrical service from a pad mounted transformer, upon submittal we received comments back from Somerville ISD stating that Eversource had denied the transformer location on the ZBA approved plans.
- We began discussions with Eversource and Zade engineering about this, they proposed a pole mounted transformer on the property, the City denied this request. We then requested a pole mounted transformer on the street which Eversource denied.
- At this juncture we began working with the Design Team along with the City in an attempt to find a solution. Below are the options considered:
  - a pad mounted transformer at a different location but the site was too tight and did not allow for required clearances etc.
  - subgrade transformer located in a man hole; this was cost prohibitive and required a hoist beam as well as relocation of culvert chambers.
- At this point we began exploring the option of an easement from the proposed electrical transformer at the proposed construction site at 105 Washington St (at this time owned by another developer). The Owner of 105 was open to the easement and attorney began to draw something up.
- This developed into the owner of 103 Washington purchasing the project at 105 Washington, therefore making the easement agreement easier to accomplish.
- Eversource was not willing to do anything related to this until the easement agreement was executed, but due to the sale and closing process, of the purchase of 105 Washington, the easement was delayed.
- Upon completion of the sale of 105 Washington we began working with Eversource again to complete the transformer design and plans, which would feed both buildings.
- We struggled throughout the process to facilitate the flow of information to Eversource. They regularly passed the project between different employees and did not respond to inquiries etc. Furthermore, Eversource requested new Civil drawings showing the combined sites, etc. They were sent this information multiple times but failed to properly record and pass through their chain of command.
- The above issues with Eversource have been resolved. They have all necessary documents and are currently in the process of reviewing this plan. We are awaiting their approved plan for submittal to the City.

