



James G. Ward
Direct Line: (617) 439-2818
Fax: (617) 310-9818
E-mail: jward@nutter.com

October 27, 2016
0115472-00002

By Hand and E-Mail

Phillip DeMartino
Office of Sustainable Communities
Department of Housing and Community Development
100 Cambridge Street, Suite 300
Boston, Massachusetts 02114

Re: Withdrawal of Notice of Opposition to Hingham Zoning Board of Appeal's Safe Harbor Assertion - Housing Unit Minimum pursuant to 760 CMR 56.03(1)(a) and 760 CMR 56.03(3)(a) and Recent Progress Toward Housing Unit Minimum pursuant to 760 CMR 56.03(1)(c) and 760 CMR 56.03(5)

Dear Mr. DeMartino:

On behalf of Broadstone Bare Cove Alliance, LLC (the "Applicant"), the applicant for a G.L. c. 40B project at 230 Beal Street, Hingham, Massachusetts (the "Application"), we withdraw the Applicant's opposition to the Hingham Zoning Board of Appeal's (the "ZBA") September 30, 2016 letter asserting with respect to the Application that the Town has met the Statutory Minima pursuant to 760 CMR 56.03(1)(a) and 760 CMR 56.03(3)(a) (the "10% Safe Harbor") and 760 CMR 56.03(1)(c) and 760 CMR 56.03(5) (the "Recent Progress Safe Harbor" and, collectively, the "Safe Harbors"). The Applicant has submitted a revised project to the ZBA and will pursue a comprehensive permit for this revised project subject to the Safe Harbors.

As such, the Applicant requests that the Department find that the Applicant's opposition is moot based on this withdrawal and that the Department not act on approving or disapproving the ZBA's assertion that it has met the 10% Safe Harbor or the Recent Progress Safe Harbor, since the Applicant is no longer challenging those assertions. If the Department deems it necessary to issue any determination, the Applicant requests that the Department simply indicate that since the Applicant has withdrawn its challenge pursuant to 760 CMR 56.03(8), there is no dispute requiring the Department's determination as to this Application.

October 27, 2016

Page 2

Thank you for your attention to this matter.

Very truly yours,

James G. Ward

cc: Michael Boujoulian (by email)
Susan C. Murphy, Esq. (by email and first class mail)
Town of Hingham Board of Appeals (by first class mail)

3429844.1