

# Town of Hingham Zoning Board of Appeals



## NOTICE OF SUSPENSION OF HEARING

**Date:** April 20, 2020

**Applicant:** Jeffrey Haywood and Eleia Tate Haywood

**Property Address:** 171 Main Street, Hingham, MA 02043

**Type of Permit:** Variance

**Date Application Received:** December 8, 2019

Pursuant to Section 17(b) of Chapter 53 of the Acts of 2020, notwithstanding any general or special law, rule, regulation, charter, ordinance or by-law to the contrary, during the governor's March 10, 2020 declaration of a state of emergency:

- (ii) a requirement of a statute, ordinance, bylaw, rule or regulation that a hearing commence within a specific period of time after the filing of an application or request for approval of a permit shall be suspended as of March 10, 2020; provided, however, that the applicable period shall resume 45 days after the termination of the state of emergency, or by a date otherwise prescribed by law, whichever is later.
- (iv) no permit shall be considered granted, approved or denied, constructively or otherwise, due to a failure of the permit granting authority to act within the time required by a statute, ordinance, bylaw, rule or regulation; provided, however, that the permit granting authority acts within 45 days of the termination of the state of emergency or by a date otherwise prescribed by law, whichever is later; provided further, that the applicant and permit granting authority may agree to alternative timing in writing.
- (v) notwithstanding the time periods by which a permit is to be heard or acted upon, a permit granting authority may, by a declaration of its chair, schedule or reschedule on 1 or more occasions the hearing or decision deadlines on a permit application; provided, however... that no such date or deadline is rescheduled for more than 45 days after the termination of the state of emergency or after a date otherwise prescribed by law, whichever is later.

Under applicable law prior to the state of emergency, and based on a written agreement to continue the hearing and extend the decision deadline for the above referenced application, the Board had until April 14, 2020 to reopen the hearing and April 30, 2020 to act. Pursuant to Section 17(b)(iv) as described above, no permit shall be considered granted, approved or denied, constructively or otherwise, due to a failure of the permit granting authority to act.

Pursuant to Section 17(b)(v), the Applicant is hereby notified, that the date on which the public hearing for the Application will be continued has been rescheduled until **May 19, 2020**. The undersigned reserves the right to further reschedule the opening of the hearing pursuant to said Section 17(b)(v) and you will be notified if such rescheduling occurs. A copy of this notice shall also be posted on the website of the Hingham Town Clerk.

Robyn S. Maguire

Chair, Hingham Board of Appeals