

Town of Hingham Zoning Board of Appeals



NOTICE OF SUSPENSION OF HEARING

Date: April 20, 2020

Applicant: W/S/M Hingham Properties LLC

Property Address: 90-100 Derby Street

Type of Permit: Special Permit A1, A2 and Variance Modifications

Date Application Received: October 4, 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 extend the decision deadline on the above referenced applications, the Board of Appeals had until April 28, 2020 to 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.

Paul K. Healey

Acting Chair, Hingham Board of Appeals