



O'Connor
Carnathan
and Mack LLC

Landmark One
1 Van De Graaff Drive
Suite 104
Burlington, MA 01803

Tel: 781.359.9000
Fax: 781.359.9001

www.ocmlaw.net

David B. Mack
Direct Line: 781.359.9005
dmack@ocmlaw.net

December 3, 2020

By Email

Newburyport Zoning Board of Appeals
Attn: Robert Ciampitti, Chairman
60 Pleasant Street
Newburyport, MA 01950

Re: 12-14 Harrison Street; Request for Continuance of Hearing on Appeal

Dear Chairman Ciampitti:

I represent Michael Gray ("Petitioner" or "Mr. Gray"), who filed a Notice of Appeal of the August 11, 2020 Notice of Violation issued by the Office of Planning and Development with respect to his property located at 12-14 Harrison Street (the "Property"). Mr. Gray filed his Notice of Appeal on September 9, 2020 (No. 2020-067), and a hearing on the Appeal is currently scheduled for October 13, 2020 before the Zoning Board of Appeals ("ZBA").

Following the filing of his Notice of Appeal, Mr. Gray, through undersigned counsel, also submitted a written request to the ZBA, on September 11, 2020, in which he asked the ZBA to waive the three-year building permit moratorium imposed by Section XXVIII-E-8 of the Newburyport Zoning Ordinance. In addition, on October 1, 2020, Mr. Gray, through undersigned counsel, filed an Application for a DCOD Special Permit with respect to his renovation work at the Property.

As of the date of this letter, the ZBA has not yet issued a decision with respect to Mr. Gray's waiver request or Application for DCOD Special Permit. The outcome of those requests, however, will affect Mr. Gray's Appeal. If the DCOD Special Permit is granted or the building permit moratorium is waived, for example, Mr. Gray will likely not need to pursue his Appeal.

Accordingly, pursuant to Section 5.4 of the ZBA's Rules and Regulations, Mr. Gray respectfully requests that the ZBA continue the hearing on the Notice of Appeal until January 12, 2021. To the extent that the continued hearing date is subsequent to the time required for the ZBA to hold a hearing or render a decision on the appeal under G.L. c. 40A, § 15, Mr. Gray hereby waives all rights with respect to time requirements for deadlines to be met by the ZBA under G.L. c. 40A, § 15.

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Please contact me if you have any questions.

Very truly yours,

/s/ David B. Mack

David B. Mack, Esq.
Counsel to the Petitioner