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April 9, 2024

Via E-mail and First-Class Mail
Certified Mail, return receipt requested

Ms. Lois Barbour, Chair
Norwell Zoning Board of Appeals
345 Main Street
Norwell, MA 02061

**Re: Simon Hill Comprehensive Permit
Notice of Project Change**

Dear Ms. Barbour:

Simon Hill LLC, pursuant to 760 CMR § 56.05(11), hereby notifies the Norwell Zoning Board of Appeals of its request to modify its Comprehensive Permit through extension of the expiration date for an additional one (1) year period. Simon Hill has requested and received extensions, and the current expiration date is June 1, 2024.

Simon Hill received its Comprehensive Permit on October 21, 2013, which authorizes the construction of one hundred twenty-six (126) apartment rental units in garden-style apartment buildings. There were various legal challenges to the proposed development, and all appeals have been resolved in favor of Simon Hill. After the appeals were resolved, Simon Hill pursued conservation approvals, and in 2021, this Board reviewed changes to the design plans made by Simon Hill in response to local and state conservation review. After finalizing conservation approvals, Simon Hill has been working to obtain wastewater approvals through the Massachusetts Department of Environmental Protection (MassDEP).

One-Year Extension. Simon Hill hereby requests a one-year extension in this Notice of Project Change until **June 1, 2025**. Simon Hill continues to make progress through the time-consuming state review process applicable to this housing project. The lengthy review ensures protection of wetland and groundwater resources, and Simon Hill seeks further extension of this

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Comprehensive Permit to complete those reviews. Specifically, Simon Hill has been engaged in an extensive process with MassDEP for its Groundwater Discharge Permit.

We were hopeful in December 2022, when we had the last public meeting on the expiration date of the permit, that the Groundwater Discharge Permit would already be completed, allowing Simon Hill to commence construction before June 1, 2024. However, the review is now in its fourth round and is not complete. Accordingly, Simon Hill hereby requests a one-year extension of the Comprehensive Permit while Simon Hill pursues completion of MassDEP approval. As the Board may recall through prior proceedings, Simon Hill has been working to finalize approval for this project through the Housing Appeals Committee, abutter appeals in the Superior Court, Norwell Conservation Commission, MassDEP's wetlands division, an advisory opinion from MEPA, and the current MassDEP wastewater review.

The Board has the authority to modify the Comprehensive Permit by extending the expiration date. An extension of time "shall not, by itself, constitute a substantial change." 760 C.M.R. § 56.05(12)(c), citing 760 C.M.R. § 56.07(4). The Board is not required to hold a public hearing on this request if it deems the change to be insubstantial. 760 C.M.R. § 56.05(11). Simon Hill respectfully requests that the Board determine the extension request to be insubstantial and incorporate an updated expiration date of June 1, 2025 in the Comprehensive Permit.

According to the Subsidized Housing Index issued by the Executive Office of Housing and Livable Communities on June 29, 2023, only 5.82% of the housing units in Norwell are SHI Eligible Units. More specifically, 220 out of 3,779 units on the 2020 census are SHI Eligible Units. This project will add 126 rental units to Norwell, and 100% of rental units would be included on the SHI under the guidelines. Extending this Comprehensive Permit is a responsible and viable method of assisting Norwell in reaching the statutory guidance for affordable housing in the community.

We request that the Board find that this change is insubstantial through either a written determination or inaction. If the Board determines that a hearing is helpful, then we look forward to the opportunity to review this request at that time. Consistent with 760 C.M.R. § 56.05, the Applicant preserves its rights to appeal any adverse decision.

Thank you for your attention to this matter.

Respectfully yours,



KIMBERLY KROHA

Cc: Brian Murphy
Sue Spratt, McKenzie Engineering

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