

November 15, 2021

Ms. Robyn S. Maguire
Chairman
Hingham Zoning Board of Appeals

Re: Special Permit Modification for Hingham Yacht Club (HYC)
208 Downer Avenue, Hingham, MA

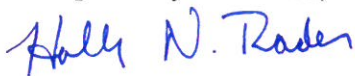
Dear Ms. Maguire,

During your joint meeting with the Planning Board on October 12, 2021, you were notified by Chris Burns, Commodore of the Hingham Yacht Club (HYC), of the pending Adverse Possession Complaint filed by Holly Rader, Trustee of the 5 Merrill Realty Trust, as owner of the property at 5 Merrill Street. Since your last meeting, HYC has filed a counterclaim seeking adverse possession of a portion of my land. As is evident by the complaint and counterclaim, there is a dispute between the parties over the property lines; and if I am successful in my claim of adverse possession, it would impact the location of the currently proposed storage barn in that the proposed structure would not meet the zoning setback requirements. I am hereby requesting that the ZBA postpone any decision on the HYC application for the storage barn until such time as the property lines in dispute are resolved by the Land Court.

Also, please let this letter serve to notify the ZBA that through Bracken Engineering, I have filed a Request for Determination of Applicability (RDA) with the Conservation Commission (CC) regarding the HYC application. My engineer has determined that the coastal bank resource area was improperly identified in the HYC application to the CC which may invalidate the administrative decision issued by the CC on August 27, 2021.

I also respectfully request that no action be taken on the HYC Special Permit Application until such time as the CC has reviewed our RDA and has responded to a Notice of Intent filing from the HYC which we believe is required under the Wetlands Protection Act and the Storm Water Management Act.

Respectfully submitted,



Holly Rader, Trustee
5 Merrill Realty Trust