



AGREEMENT ON TIME EXTENSION

The Board of Appeals and the Petitioner for a Public Hearing

Apartments at Powder Mill

Petitioner Name: Apartments at Powder Mill, LLC

Hearing Description:

Comprehensive Application at 2,4, 12 Powdermill Road

Location/Address: 2, 4, and 12 Powdermill Road

Hereby agree to continue the Public Hearing to:

(date): June 9, 2020

(time/location): 7:30 PM 472 Main Street - Room 204

And to extend the legally required time limit in which the Board of Appeals must render a decision by the same number of days as the hearing continuation.

Signed this date:

See attached

Board of Appeals Chairman

See attached

Petitioner

This agreement must be filed with the Office of the Acton Town Clerk.



March 26, 2020

Ken Kozik, Chairperson
Town of Acton Zoning Board of Appeals
472 Main Street
Acton, MA 01720

**RE: Powder Mill Apartments
Acton, MA**

Dear Mr. Kozik:

I am writing on behalf of Apartments at Powder Mill, LLC, an entity formed for the development of the proposed 230-unit rental project located off Powder Mill Road in Acton. The project has commonly been referred to as the Powder Mill Apartments.

As you are aware, there was an application submitted to the Zoning Board of Adjustment for the above reference project with an original hearing date of April 14, 2020. It is my understanding that some of the Town's Boards are now considering scheduling some form of a "virtual" meeting for this and other applications pending. We respectfully request a continuance of at least 30-days from the present-day hearing date of April 14, 2020. We would prefer to postpone consideration of our application until we are afforded the opportunity to present the entire project to the Board at a public face-to-face hearing. This is a large and complicated project that is better presented and discussed when we are all meeting in the same room. Please advise when this hearing will be rescheduled.

Let me if you have any questions or concerns. Wishing you, the Board, and your respective family's good health. *Thank you for your consideration and understanding as to this request!*

Sincerely,
EQUITY ALLIANCE LLC
ON BEHALF OF APARTMENTS AT POWDER MILL, LLC

A handwritten signature in black ink, appearing to read "Joel Kahn".

Joel Kahn
Manager

cc: Roland Bartl, Town Planner
Robert Hummel, Assisted Town Planner
Vincent Cuttome, Apartments at Powder Mill, LLC

**7 Rolling Woods Drive • Bedford, NH 03110
(603) 472-3808 • (603) 471-0782 Fax
jkahn@equity-alliance.com**

RE: Powder Mill Apartments

 DELETE  REPLY  REPLY ALL  FORWARD ... Roland Bartl[Mark as unread](#)

Tue 3/31/2020 4:16 PM

To: 'Joel Kahn' <jkahn@equity-alliance.com>;**Cc:** Louis Levine (llevine@dlpnlaw.com); rmiron@bohlereng.com; Vincent Cuttome (vcuttome@protechtowing.com); John Mangiaratti; **Board of Appeals; Planning Division;**

You forwarded this message on 4/7/2020 8:57 AM.

Hi, Joel:

On behalf of Mr. Kozik I am writing to let you know that the Board is in agreement with the hearing continuation that you had requested and respects and agrees with your preference for a hearing time when meeting in person will be possible once again. Looking at the prognosis of Covit-19 and the Board member's availability for meetings, we have rescheduled the hearing start for the Powder Mill Apartments to June 9, 2020, with the understanding that, come June, it may be time to reassess. If all goes well, the June 9 meeting will then be in person in the Acton Town Hall and begin 7:30 PM.

Regards and stay well –

Roland Bartl, AICP
Planning Director
Town of Acton
472 Main Street
Acton, MA 01720
978-929-6631

From: Joel Kahn [mailto:jkahn@equity-alliance.com]
Sent: Thursday, March 26, 2020 12:03 PM
To: Board of Appeals; Planning Division
Cc: Louis Levine (llevine@dlpnlaw.com); rmiron@bohlereng.com; Vincent Cuttome (vcuttome@protechtowing.com); John Mangiaratti
Subject: Powder Mill Apartments

EXTERNAL EMAIL * Caution is Advised *

See attached request for a continuance of our upcoming hearing. Thank you. Wish you and your families good health.

Joel Kahn

Joel Kahn
Equity Alliance LLC