

INDUSTRIES

Energy & Cleantech
Real Estate

ATTORNEYS

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LAND USE PERMIT ADVOCACY

OVERVIEW

Sherin and Lodgen provides strategic advice to developers and property owners throughout the predevelopment and development process. Our land-use team also defends and challenges permit decisions through administrative and court appeals.

Our experience spans the full breadth of office, residential, retail, industrial, research and development, hospitality, air rights and biotechnology facilities. The ability to maximize the development potential of a site through creative permitting strategies has become increasingly important as development gets more complicated in both urban and suburban areas.

ACCOLADES

Three of our land use attorneys, Carla M. Moynihan, Ronald W. Ruth, and Sander A. Rikleen are listed for inclusion in *The Best Lawyers in America*.

CAPABILITIES

Our land use permit advocacy team is able to assist clients in the complex zoning process. In the context of permit proceedings, our attorneys:

- Provide a comprehensive and comprehensible analysis of the applicable regulations
- Devise a pragmatic strategy to maximize development potential in a timely manner, and
- Guide the project through the municipal zoning process

In addition, our litigation group is fully prepared to challenge the denial of permits or the imposition of unfavorable permit conditions.

EXPERIENCE

- Successfully defended zoning board and land court challenge to building permit, allowing a Residence Inn by Marriott in suburban Boston. The challenge was prosecuted by the Planning Board which had issued a special permit for the project but later had second thoughts.
- Developed successful strategy to build a new supermarket at risk notwithstanding a land court appeal of a required special permit and request for an injunction by a neighbor.
- Development of proposed 700,000 sq. ft. retail shopping center in Central Massachusetts, including obtaining MEPA approval and MassHighway Access Permit (first major retail development project to undergo review subject to new MEPA Greenhouse Gas Policy)
- Development of 700,000 sq. ft. commercial development and related rail line restoration, including:
 - Obtaining zoning relief and subdivision approvals, MassHighway Access Permit, Public Water Supply Permits, and a Groundwater Discharge Permit for a private sewer treatment facility

- MEPA review process, which required coordinating the proponent's MEPA process with the Federal and State environmental review process for a new public rail line
 - Addressing issues before the Massachusetts Historical Commission
 - Obtaining wetlands approvals from the two affected municipalities
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- Redevelopment of former industrial site into multi-story luxury condominium project in East Cambridge, including MEPA review process, tidelands (Chapter 91), wetlands, and Cambridge zoning and traffic issues