

ADAMS & RAFFERTY
ATTORNEYS AT LAW
A Professional Association*
907 Massachusetts Avenue, Suite 300
Cambridge, Massachusetts 02139

James J. Rafferty, P.C.
jrafferty@adamsrafferty.com

Telephone (617) 492-4100
Fax (617) 492-3131

October 14, 2022

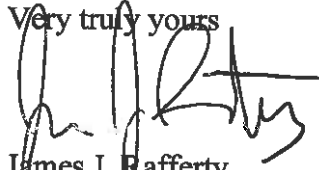
Catherine Preston, Esq.
Chair
Planning Board
344 Broadway
Cambridge, MA 02139

Re: Planning Board Case No. 391
40 Smith Place

Dear Madame Chair,

In light of the recent opinion issued by the City Solicitor that the zoning amendment adopted by the City Council on May 23 to Section 20.93.5 of the Zoning Ordinance prohibits the Planning Board from acting upon a Special Permit application before December 2023, or the adoption of new zoning in the Alewife Overlay Districts, please accept this correspondence as a request by the applicant in the above-captioned case that it be permitted to withdraw their application without prejudice.

Thank you for your attention to this matter.

Very truly yours

James J. Rafferty

cc: Chris Chandor, Senior Vice President

**not a partnership*