

Jesse D. Schomer

Partner

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Practice Areas

Real Estate Transaction and Land Use

Litigation / Dispute Resolution

Jesse's legal practice focuses on Massachusetts real estate development, land use, and zoning/permitting. He primarily represents developers, entrepreneurs, and landowners in the context of residential and commercial land use permitting, development, and construction, including in particular the following specializations:

- Zoning/Permitting under Mass. General Laws Ch. 40A and the Boston Zoning Code (variances, special permits, findings, etc.)
- Affordable housing development (MGL Ch. 40B & 40R)
- Subdivision Control and Approval-Not-Required (ANR) permitting
- Real estate/land use litigation (title, easements, adverse possession, etc.)
- Registered Land matters, S-Cases, & land deregistration
- Age-restricted housing development
- Zoning amendments
- Site Plan Review permitting
- Environmental permitting (wetlands protection, public waterways, septic/sewer, etc.)
- Historical protection permitting
- Municipal licensing/regulation, including alcohol & automotive
- Private Client Services (real estate conveyancing, land use and development agreements, corporate structuring, condominium matters, development team formation, etc.)

Jesse's primary focus is the permitting and development of affordable housing under Chapter 40B. In this field, he is one of a handful of go-to attorneys in the Commonwealth with the specialized knowledge, experience, and know-how to guide a 40B development from concept to shovels in the ground, and his recent development portfolio includes permitting of projects valued at over \$500 million.

Jesse is also a commentator for Landlaw's Massachusetts Housing Appeals Committee Reporter (MHACR), a featured presenter for the Real Estate Bar Association for Massachusetts (REBA), and Special Town Counsel to the Town of Saugus, MA for development and permitting.

In addition to his permitting practice, Jesse is an experienced real estate litigator specializing in zoning/permitting appeals, land use rights and title disputes, adverse possession, historical rights of way, and Registered Land matters.

Recent Successes

- Obtained approval for a 173-unit rental development in Wakefield
- Obtained approval for an 86-unit mixed rental/ownership development in Reading
- Obtained approval for an 86-unit rental adaptive reuse development in Milton
- Obtained approval for a 116-unit rental development in Milton
- Obtained approval for a 12-unit rental development in Belmont
- Successfully mediated the denial of a 54-unit Chapter 40B development in Peabody, resulting in the issuance of a Comprehensive Permit
- Obtained approval of variances and site plan approval to develop various site amenities/upgrades for a biomedical campus in Danvers
- Obtained approval of variances authorizing site upgrades to a nonconforming gas station and repair shop in a residential district in Cambridge
- Obtained judgment overturning the denial by the local ZBA of a special permit to develop a 23-unit apartment development in Lynnfield
- Obtained judgment dismissing an abutter's appeal of Chapter 40B development in Reading
- Obtained judgment awarding title by adverse possession to a derelict fee in South Boston and adjudging a Colonial-era road to be abandoned/defunct
- Obtained judgment that the constructive endorsement of an ANR plan required adding the applicable access way to the Town of Georgetown's Official Town Map
- Successfully defended at MassDEP's Office of Appeals and Dispute Resolution (OADR) the issuance of an Order of Conditions for a pier in Nahant

Professional Associations

- Real Estate Bar Association for Massachusetts (REBA)
- Boston Bar Association
- Citizens' Housing and Planning Association (CHAPA)
- Commentator for Landlaw's Massachusetts Housing Appeals Committee Reporter (MHACR)

Bar Admissions

Massachusetts
New Jersey
New York
United States District Court, District of Massachusetts
United States District Court, Southern District of New York
United States District Court, Eastern District of New York
United States District Court, District of New Jersey

Education

University of Notre Dame – J.D. (*cum laude*), 2004
Graduate Center, City University of New York – M.Phil. (*magna cum laude*), 2014
Hendrix College – B.A. (*with distinction*), 2001