



Brian C. Levey

Principal

blevey@bdlaw.com

+1.617.419.2333

155 Federal Street, Suite 1600, Boston, MA, 02110-1716

Brian has more than 20 years of project development experience before permit-granting authorities and in court.

Permitting

Brian's real estate development and land use and zoning law experience focuses on the representation of builders, developers, and property owners seeking all types of permits and approvals — special permits, site plan approvals, variances, and comprehensive permits — before dozens of boards throughout Massachusetts. His environmental practice focuses on permitting matters before local boards and state agencies on wetlands and Title V matters. Representative project approvals include residential subdivisions, affordable housing projects, retail stores, shopping centers, restaurants, telecommunications towers and assisted living facilities. In addition to property owners and developers, his clients include educational and religious nonprofit institutions and project abutters and neighborhood associations. He also has experience serving as special counsel to boards.

Litigation

When necessary, Brian pursues project approvals in trial courts — Massachusetts Land, Superior or U.S. District Court for the District of Massachusetts — and appellate courts — Massachusetts Appeals Court, Supreme Judicial Court, and U.S. First Circuit Court of Appeals. His litigation experience includes all types of real estate disputes including adverse possession, quieting title, registration, breach of contract, specific performance, nuisance, and obtaining injunctive or declaratory relief. Representative cases include regulatory takings, disputed transactional documentation, determinations of the validity of zoning amendments or deed restrictions, and challenges to or defense of easements, rights of way, or other interests in land.

Brian co-chairs the firm's Infrastructure & Real Estate group.

Education

- Cornell University (B.A., 1980)

- George Washington University (J.D., 1983)

Bar Admissions

- Massachusetts
- District of Columbia

Court Admissions

- U.S. Court of Appeals - First Circuit
- U.S. District Court - Massachusetts

Professional Affiliations

- National Association of Industrial and Office Properties (NAIOP), Massachusetts Chapter
- National Association of Home Builders (NAHB)
- B'nai B'rith Housing, New Projects Committee
- Home Builders & Remodelers Association of Massachusetts (HB&RA)
- Builders and Remodelers Association of Greater Boston (BRAGB)
- International Council of Shopping Centers (ICSC)
- Real Estate Bar Association (REBA)
- Cornell Real Estate Council (CREC)
- Executive Committee, Abstract Club

Community Involvement

- President, Temple Shir Tikva, Wayland, MA (2012-2014)
- Chair, Wayland Zoning Board of Appeals (1993-1998)

Honors & Awards

- *The Best Lawyers in America*®, a *Best Lawyers* publication, recognition in Land Use and Zoning Law (2010-2020)
- *Chambers and Partners – USA*, recognized practitioner in Land Use/Zoning (2017-2019)
- *Super Lawyers*, part of *Thomson Reuters*, Massachusetts Super Lawyer (2004; 2008-2018)
- *NAIOP*, Massachusetts Public Affairs Award (2006, Streamlined Permitting and Appeals Act; 2010, Permit Extension Act)

Publications

- [Massachusetts Zoning and Land Use Law](#), Lexis Law Publishers (1996 & Supp. 1998)

- Court Rulings Bolster Affordable Housing Developments, *Banker & Tradesman* (February 2013)
- Commercial Development's New Tools for Towns, *Banker & Tradesman* (September 2008)

Presentations

- BRAGB, Legal Update on Zoning Permits and Approvals
- REBA, Expedited Permitting
- MCLE, College & University Law: Higher Education Symposium
- Lecturer, Harvard University Extension School, Zoning and Land Use Law