

Letter sent on November 13, 2007 by State Representative Frank Hynes to Thomas Gleason, MA Housing. The same letter, with different introductory paragraph, was also sent to:

Shelagh Ellman-Pearl, HAC Hearing Officer (a copy of this letter was sent to Werner Lohe, Chairman, HAC)

Deerin Babb-Brot, MEPA Director

Christopher Ross, DEP Environmental Engineer

Rebecca Haney, CZM

November 13, 2007

Thomas R. Gleason, Executive Director
MA Housing
1 Beacon Street
Boston, MA 02108-3110

Dear Mr. Gleason:

A proposed 40B development, Herring Brook Meadow, LLC, in Scituate, MA, has received "site approval" from MA Housing. It is my understanding that among other characteristics, your review, when an application seeks "site approval," is that the "proposed housing is generally appropriate for the site."

Pursuant to this characteristic I ask for your comments on the following concerns:

The proposed development is located north of the North River, contiguous to Route 3A (Chief Justice Cushing Highway) to the west and Herring Brook (a tributary of the North River) to the east. Adjacent property is limited to single family homes, which in turn are limited in their expanse by the vegetation and marsh attendant to the aforementioned water bodies.

- (1) Is the proposed development, in whole or in part, subject to flooding? Aerial photographs show complete water inundation after major storms. Such flooding appears to be a consequence not only of rising tidal waters but of rain water filling up the basin.
- (2) Will the proposed development exacerbate flooding, i.e. will any fill used to construct the proposed buildings and land displace or cause water to run off onto the surrounding area?
- (3) Will water, unable to settle in the fully developed area, be displaced onto surrounding lands? If this occurs will this pose a threat to either land or property of nearby homes?
- (4) Land bordering this area appears to be replete with coastal vegetation. Is this naturally occurring vegetation and attendant plant and marsh at any risk to degradation due to the proposed development?
- (5) Are the development's storm water run off facilities sufficient to protect the surrounding land and coastal plain?
- (6) Is the proposed waste water treatment facility storm and flood proof, i.e. is it designed and capable of sufficient construction that there is no threat to the marsh, vegetative area, surrounding waters, and property of existing residents.
- (7) 60 units of condominium home ownership are proposed for this site. Is flood insurance and property insurance available for this project? What is the cost of each?
- (8) These proposed units are "sandwiched" between Rte. 3A and the marshes of the Herring Brook and North River. Proposed parking is limited by the developer to 120 vehicles (2 per unit). Said vehicles will exit and egress onto Rte. 3A, with additional vehicles attendant to the development using said Rte. 3A to park. Any safety concerns?
- (9) Does the human activity occasioned by the proposed development pose any environmental threat to the surrounding sensitive areas and/or to lands and vegetation on adjacent properties or lands bordering the marsh and water bodies?

I would appreciate your review of these concerns and a response to me at your earliest convenience.

Sincerely,

Frank M. Hynes
State Representative

