



December 18, 2006

Via First Class Mail and Electronic Mail

To: Christopher Burns
Mass Housing
One Beacon Street
Boston, MA 02108

From: Scituate Zoning Board of Appeals
600 Chief Justice Cushing Highway
Scituate, MA 02066

Re: Herring Brook Meadow
Scituate, MA
PE -371
Project Eligibility (Site Approval) Application

Dear Mr. Burns:

Please accept this letter as a formal request under the Freedom of Information Act.

On behalf of the Scituate Zoning Board of Appeals, I am requesting that the following documents pertaining to Herring Brook Meadow be forwarded to the Scituate Zoning Board of Appeals:

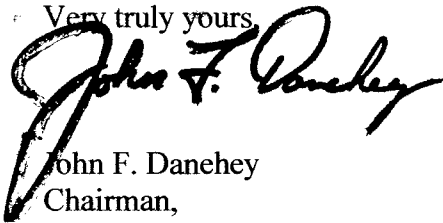
- All documents concerning an application for determination of Project Eligibility (Site Approval) pursuant to M.G.L. c. 40B and 760 CMR 30-31 of Herring Brook Meadow, LLC, concerning a proposal to build 60 garden-style condominium homeownership units (the "Project") located on 126-132 Chief Justice Cushing Highway, Scituate, MA
- All documents demonstrating site control by Herring Brook Meadow, LLC pertaining to the Project identified as PE-371 and further referenced in your letter of approval (dated May 26, 2006), including but not limited to any quitclaim deed and purchase and sale agreements concerning the property at 126 Chief Justice Cushing Highway, Scituate, MA, owned by Donna Marie Tonelli
- All documents submitted by the Herring Brook Meadow, LLC and/or its representatives since May 26, 2006 concerning the project.

In an effort to ensure that the Board has a complete record of the applicant's submission, we are requesting a complete copy of any and all non-privileged documents.

Finally, I request a waiver of all fees. Disclosure of the requested information to the Board is in the public interest and will contribute significantly to public understanding of the operations or activities of the government and is not at all concerning any commercial interest. The Board is presently conducting a hearing, pursuant to M.G.L. c. 40B, regarding a Comprehensive Permit. The applicant, i.e., Herring Brook Meadow, LLC, inadvertently neglected to provide the Board with complete information concerning site control. Only recently, as a result of a newspaper article in The Patriot Ledger, did the Board become aware of the details of a purchase and sale agreement between the applicant and Donna Marie Tonelli. A formal request was made to the applicant at our November hearing but as of today's date, we have not received a copy of said purchase and sales agreement.

I ask that the Board's request receive expedited processing as we have another scheduled hearing on January 3, 2007.

Very truly yours,

A handwritten signature in black ink that reads "John F. Danehey". The signature is written in a cursive, flowing style with a large initial "J".

John F. Danehey
Chairman,
Scituate Zoning Board of Appeals

JFD/nmh

Cc: Board of Selectmen