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Peter L. Freeman
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Matthew J. Dunn
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September 25, 2007

Via Certified Mail
Return Receipt Requested

Elizabeth Kouleheras
Department of Environmental Protection
Wetlands Section
Southeast Regional Office
20 Riverside Drive
Lakeville, MA 02347

RECEIVED
SEP 26 2007
TOWN OF SCITUATE
CONSERVATION COMMISSION

Re: Herring Brook Meadow LLC
132 Chief Justice Cushing Highway
Scituate MA
Request for Superseding Determination of Applicability

Dear Ms. Kouleheras:

Enclosed for filing, please find a Request for a Superseding Determination of Applicability regarding the above-referenced matter. Please note that the filing fee of \$200.00 has been sent today to the DEP Lock Box at your Boston office.

The enclosed Request for Superseding Determination involves property at 132 Chief Justice Cushing Highway in Scituate. At the present time, the Department is likewise reviewing a Request for a Superseding Order of Conditions, involving this property and an abutting parcel, at 126 Chief Justice Cushing Highway. The Request for a Superseding Order is being reviewed by Chris Ross. For clarification, the enclosed appeal involves the Applicant's request for a determination solely related to maintenance and mowing of the historic field on the property. In contrast, the Request for a Superseding Order involves the proposed residential project at both 126 and 132 Chief Justice Cushing Highway.

Thank you for your attention to this filing.

Sincerely yours,


Stephanie A. Kiefer

Enclosures

cc: Scituate Conservation Commission (via certified mail, w/encl.)
James Motzkin (via first class mail, w/encl.)
Roderick Gaskell, SITEC (via first class mail, w/encl.)

September 25, 2007

Via Certified Mail
Return-Receipt Requested

Department of Environmental Protection
Lock Box
Box 4062
Boston, MA 02211

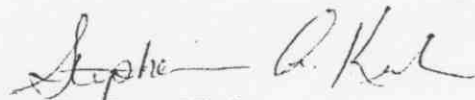
Re: Herring Brook Meadow LLC
Request for a Superseding Determination of Applicability

Dear Sir or Madam:

Enclosed, please find a check payable to the Commonwealth of Massachusetts for \$200.00, to cover the filing fee for the Request for a Superseding Determination of Applicability filed by Herring Brook Meadow LLC. For your reference, a copy of the Request for a Superseding Determination of Applicability (without attachments) is enclosed.

Thank you for your attention to this matter. Please do not hesitate to contact our office if you have any questions or require additional information

Sincerely yours,



Stephanie A. Kiefer

Enclosures

cc: DEP, SERO
Scituate Conservation Commission
James Motzkin
Roderick Gaskell, SITEC



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
Request for Departmental Action Fee
Transmittal Form

DEP File Number: _____

Provided by DEP _____

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

A. Request Information

Important:
 When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. Person or party making request (if appropriate, name the citizen group's representative):

Stephanie Kiefer, counsel for Herring Brook Meadow LLC
 Name
Freeman Davis & Stearns LLC, 236 Lewis Wharf
 Mailing Address
Boston MA 02110
 City/Town State Zip Code
617.227.5070 617.227.5001
 Phone Number Fax Number (if applicable)

Project Location

132 Chief Justice Cushing Highway
 Mailing Address
Scituate MA 02066
 City/Town State Zip Code

2. Applicant (as shown on Notice of Intent (Form 3), Abbreviated Notice of Resource Area Delineation (Form 4A); or Request for Determination of Applicability (Form 1)):

Herring Brook Meadow LLC
 Name
265 Newbury Street
 Mailing Address
Peabody, MA 01960
 City/Town State Zip Code
 Phone Number Fax Number (if applicable)

3. DEP File Number: _____

B. Instructions

1. When the Departmental action request is for (check one):

- Superseding Order of Conditions
 Superseding Determination of Applicability
 Superseding Order of Resource Area Delineation

Send this form and check or money order for \$100.00 (single family house projects) or \$200 (all other projects), payable to the *Commonwealth of Massachusetts* to:

Department of Environmental Protection
 Box 4062
 Boston, MA 02211

