



November 22, 2016

Secretary of Energy and Environmental Affairs
Executive Office of Energy and Environmental Affairs (EEA)
Attention: MEPA Office
Purvi Patel, EEA No. 15441
100 Cambridge Street, Suite 900
Boston, MA 02114

VIA EMAIL (purvi.patel@state.ma.us)

Dear Secretary Beaton:

As Lynn residents and representatives of the grassroots community organization Lynn United for Change, we are writing to raise concerns regarding the project planned for the former General Electric Gear Works site in Lynn, MA (EEA No. 15441).

Based on the information provided in the DEIR, we believe there are two primary issues that call for further scrutiny and fall under your jurisdiction. First, the project creates a gated residential community on tidelands. This is fundamentally at odds with state public access requirements, and the proponent's provisions for public use are wholly inadequate. Second, the project fails to adequately account for sea level rise related to climate change.

Public Access

Public access to the waterfront is a regulatory requirement for the proponent under Chapter 91. We are concerned that the proponent's obligations under 310 CMR 9.51(3)(d) and other related regulations are not being met. We further believe that the project is fundamentally at odds with the spirit of public access regulations, as it seeks to create a private, gated community on tidelands (e.g. a "gated residential area" is referenced in the DEIR at Section 5.3, page 5-4).

Our interpretation of the information in the DEIR is that virtually the whole site is gated and public access is only allowed on a very small area (see, e.g., Figure 11.2). We would like the proponent to confirm whether that is correct, and to specify the location of the gates and fences that will prevent public access to the majority of the site. We would also like the proponent to specify what percentage of open space on site will be publicly accessible.

Public access is further restricted in that even the tiny area the proponent seems to have proposed for public use will likely be available only during limited hours. The DEIR states that "the Proponent anticipates providing such access from dawn until dusk [sic] on daily basis" (Section 8.5.2.1, page 8-11).

The proponent claims that the project will benefit the public by "promot[ing] a sense of community" (DEIR, Section 1-1, page 1-1). However, the plan as currently constituted will create the clear perception

that the entire area is for private use of the residents. This will be exacerbated by the racial and class segregation that is likely to result from the proponent's intent to create residential units exclusively for affluent people, which will put the area out of reach for the majority of Lynn's current working class residents.

The proponent implicitly acknowledges that the publicly accessible area will not in practice serve the broader public well, noting that, "[a]s on-site amenities are programmed residents only and will not be open to the general public, only a small number of additional parking spaces above the Zoning Ordinance have been included in the Site plan" (DEIR, Section 5.10.1, page 5-64). It seems that only ten parking spaces are provided for the public (DEIR, Section 5.3, page 5-4). Given the size of Lynn's population, this clearly indicates that the proponent does not anticipate the area being frequently used by the public.

Finally, in the Summary of Alternatives (DEIR, 1-6), no serious consideration is given to an option that would enable public access to a significant portion of the area, or of development of a housing mix that would not exclude the majority of current Lynn residents (i.e. preventing the racial and class segregation that will fuel the perception of a completely privatized space).

In sum, we believe the current project plan privatizes the area, that the public access provisions are wholly inadequate, and that revisions should be required to provide for genuine public access and engagement with the waterfront.

Climate change, sea level rise, and related equity concerns

According to the sea-level rise projections cited by the proponent, this project is not sufficiently elevated to cope with climate change in the medium to long term (see sea-level rise projections in the DEIR, page 11-9).

This issue is exacerbated by the minimal buffer provided between the site boundary and built areas. Inclusion of a larger buffer might enable nature based ecological flood control to provide increased mitigation.

The failure to fully account for medium to long-term climate change scenarios also raises concerns related to equity and public access. The area currently designated for public access is likely to be rendered unusable due to increased flooding in the future, according to the projections cited by the proponent. Public access will for practical purposes no longer exist. Thus, the benefit of this project will accrue almost entirely to the developers and residents of the proposed gated community, not the general public.

This further constitutes a negative, disparate impact to the general population of Lynn (which is disproportionately composed of racial minorities and working class people, as compared to the projected population of the gated community).

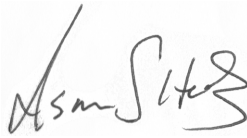
Conclusion

In conclusion, we request that the proponent be required to provide the information requested above; to address the project's failure to adequately provide for open space and public access; to address the project's failure to deal with medium to long term climate change impacts; and to address the project's disproportionately adverse effect on communities of color, working class residents, and families with children.

Sincerely,



Efres Perez



Isaac Simon Hodes



Dara Chhim

Cc: matthew.beaton@massmail.state.ma.us