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November 9, 2020 @ 7 pm  
ZBA zoom hearing

Hearing 40B 55 Summer Street

Public Comment Submission: ZBA Hearing 9Nov2020 Summer Street 40B

In my opinion this application must be denied. The Railroad ground crossing at Summer Street is a traffic-controlled intersection. This 40B project whose entrance and exit abuts the ground crossing intersection increasing the probability that a Mass Casualty incident will occur with one of the new six passenger train lines that will be servicing six new markets on a regular Schedule already in the development stage for Gillette Stadium and Patriots Place. Six layover-holding tracts have been built in Foxboro one for each new market. There will also be Special Event Trains making unscheduled special runs to Gillette Stadium. The combined increase in Train Traffic and vehicular traffic from the 40B makes this dangerous intersection life threatening. School Buses and lots of children cross the tracks any disabled vehicle, or vehicle stuck in gridlock on the tracks or attempting to run the gates can cause a collision with one of the new fast moving passenger train lines. Collisions on such curved tracks result in derailment causing mass passenger and pedestrian casualties, and fatalities.

Six Freight Train collisions with vehicles have occurred at this intersection that I know of. Four were with vehicles disabled on the tracks. One was with a vehicle grid locked on the tracks by stalled traffic. One vehicle was attempting to serpentine through the traffic control gates. Lack of appropriate line of sight for trains and vehicles adds to the danger. The tunnel under route one that the trains travel through coming from Foxboro restricts the line of sight, and the curvature of the tracks eliminates the necessary line of sight for a train coming from Walpole Center. The crossing is a Blind intersection for vehicles especially vehicles exiting the 40B. Today there is no detection effort to ensure the tracks are not obstructed, and warn the Engineer in time if they are. Without a plan to address this dangerous situation lives will be lost. When the Train Engineer can see a hazard on the tracks it is too late to stop the train before colliding with the hazard. Creating this increase in vehicular traffic by the 40B at the ground crossing without implementing the needed safety procedures and equipment to ensure the tracks are unobstructed, and the train Engineer is warned in time if they are adds too much risk to South Walpole and travelers at large. This demands input from the MBTA Chief Safety Officer concerning the safety of the passenger trains. How will the MBTA address the safety of South Walpole drivers, and travelers crossing the tracks on Summer Street. CSX should also provide input from their Chief Safety Officer concerning the safety of the freight trains especially when Propane gas trucks use this ground crossing intersection, and a derailment involving hazardous cargo could endanger the South Walpole community, and travelers on route one.

I fear the Select Board will be forced to dead-end Summer Street with concert barriers on both sides of the train tracks preventing vehicles from causing hazards on the tracks. This will severely reduce Police and Fire protection for South Walpole. Property values in South Walpole will plummet. The tax levy stays the same so property not in South Walpole will pay higher taxes. Children will be unable to attend the school they love how cruel. A better solution would be to abandon the Summer Street ground crossing for the safety of the public. I question tax payer money funding this 40B application. It is within a mile of the MWRA Emergency Sludge Dump, which is already impacting the property values of

abutters. The Dead ending of Summer Street will negatively impact the property value of the completed 40B. Occupancy of the 40B will be negatively effected if Summer Street is dead ended at the entrance and exit of the 40B. The people approving other peoples money to fund this travesty need to be looked at for fiduciary companyâ€™s soundness of this investment.

At the Nov 2, ZBA zoom hearing a member asked what Permits are required? The proposed 40B requires permits from the EPA, DEP, and Board of Health, because it is in our Sole source Aquifer, and our Water Resource Overlay Protection District Law (WROPD) Area3 (Area3 is defined as: aquifer 40 feet or less in depth; and have a hydrology connection to our School Meadow Brook public wells). This 40B construction is proposed in our public water supply. The 40B must have all construction obey Federal and Commonwealth rules and regulations, including the Clean Water Act. Construction in swampy wetlands must use pylons or caissons in this very sensitive Neponset River Water Shed Area. Our building codes require State Regulations be followed when multi story buildings are built in or on Earth Quake Fault Lines. We know an Earth Quake Fault Line passes through Cedar Junction Prison (AKA Walpole Prison). The two six story buildings are to be located across Route 1A from the Earth Quake Fault Line we know runs through the prison. The Commonwealth and our Board of Health along with our Police and Fire Departmentâ€™s must ensure no potential future occupants of the 40B are placed in an unsafe settings, and rescue plans are in place. The Town must demand that the Earth Quake Fault Lines are delineated before approvals are granted, and all EPA and state agenciesâ€™ required permits have been granted.

The Attorney General and the Secretary of Environmental Affairs approved our WROPD law. It is not a local zoning by law. It is a law that must be obeyed by all 40B applications. The current 40B proposal fails to obey this law. The Town and DEP, and our building inspector must demand compliance with Walpoleâ€™s WROPD law. It is not local zoning that can be set aside by a 40B. Our WROPD law Area3 is DEP certified Zone II and must obey the State Zone II requirements.

Heavy Equipment cannot be refueled in the 40B construction footprint in Area3, because in will contaminate our Public Water Supply Area3, and the EPA soul source aquifer. The Heavy Equipment must be taken off site for refueling. Tanker trucks that transport Diesel or gasoline are not allowed in the construction site in Area3. Fifty-five gallon drums of Diesel or gasoline, and in commercial containers are not allowed in the construction site in Area3 and our soul source aquifer. The Town has a schedule of fines that can be applied for an event, or days of violation enforceable by the Building Inspector.

Pesticides and fertilizer are not allowed in our water supply Area3, and soul source aquifer in commercial quantities. The Town of Walpole has a schedule of fines enforceable by the Building Inspector. Of course, construction can be shut down if fine are not effective to prevent contamination of our public water supply.

Six Freight train collisions with vehicals on the tracks have occurred since the sixties. They happen Even when the train is traveling at ten miles per hour. Passenger trains travel at forty miles per hour, or faster. Derailments will occur because of the speed and curvature of the tracks. The railroad cars will be thrown toward and into the 40B entrance and exit. Accident reconstruction may require that the railroad cars must remain undisturbed until all the contributing factors are identified. Therefore, emergency access and egress must be in the 40B design.

As a Police EMT I traveled far and wide to participate in Mass Casualty Train Seminars and reenactments. Safety Engineers and the Chief Safety Engineer for CSX told me the Summer Street

Ground Crossing is the most dangerous ground crossing in North America. CSX actually abandoned the ground crossing and will be rarely using it once the new six passenger lines become active. Today CSX mostly runs in the wee hours in the morning. This ground crossing needs to be abandoned because it is so dangerous.

The Preserve a 40B was built illegally on our public water supply. The Department of Housing and Community Development cannot approve 40B applications in our public water supply. The DEP Water Division and EPA source Aquifer protection Division failed us. We must work with them so they issue the required permits and don't fail us again. If there was any negligence in allowing the Preserve by any Agency we must pursue justice.

William T. Hamilton RTM Pct. 5 November 9, 2020