

Public comment submission- Omini Development LLC 55 Summer Street 40B 3/29/21

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To: Ashley Clark; Amy Messier

Public Comment Submission Omni Development LLC 55 Summer Street 40B 3/29/2021

In my opinion the ZBA can't issue waivers, special permits, or any relief from the WRPOD only the Planning Board can, Much like the ZBA can't adjudicate Wetland issues only the Conservation Commission can. I believe this because the WRPOD is not a local bylaw. The WRPOD is a state bylaw created under the super vision and approval of the Secretary of Environmental Affairs.

I began my journey to protect Walpole's Public Water Supply while a member of the Walpole Conservation Commission. I worked with IEP and The Law Firm of Gregor I. McGregor and the Secretary of Environment Affairs to protect Walpole's public water supply by putting in place the state bylaw WRPOD.

When former Town Administrator James Mello requested that Walpole's Zone II of the public water supply be separated into two separate Zone IIs to give more flexibility for building on top of the aquifers that supplied Walpole's portable water to allow increasing Walpole's tax base. IEP asked the Secretary of Environmental Affairs, and permission was granted to separate Walpole's Zone II into two areas by geological boundaries. Area2 was an aquifer of depth greater than 40 feet, and having a hydrological connection to Walpole's public water supply well fields. The second area Area3 was aquifer of depth 40 feet or less and also having a hydrological connection to Walpole's public water supply well fields.

After Town Meeting voted favorably for the WRPOD the Secretary of Environmental Affairs required that all property owners affected by the WRPOD have one year to file any appeals they may have. IEP held weekly meetings at their Natick MA office, which I attended, with property owners considering filing an appeal of the restrictions placed on their property by the WRPOD. No appeals were filed and the Secretary of Environmental Affairs was notified when the year ended that no appeals were filed for the WRPOD.

As I said earlier my journey to protect Walpole's water supply began in the 1970's and my first stop was at UMass Amherst with Professor Mott. Ph.D. He reviewed the previous studies of Walpole's public water supply, and concluded that our water supply was under stress and needed protection. He was working for the United States Air Force in the Mid West where runways were collapsing from aquifer caused sinkholes. (Note* People are finding sinkholes in South Walpole today) Doctor Mott said that sinkholes are a sign the aquifer is under stress. He recommended Walpole engage experts to protect the health and safety of our water supply.

Even if the ZBA has the authority to decide and approve waivers, special permits, or other relief from the WRPOD, and I don't believe they have that authority, they should not in my opinion. My working with IEP and hydrologists who volunteered to help IEP only managed to achieve the minimum reasonable protection, which was allowed for protecting Walpole's public water supply on private land. To reduce that protection further is too risky for the health and safety of Walpole's public water supply. Former Fire Chief Anderson had to declare a building moratorium, because Walpole's public water supply was not adequate to fight fires. Walpole built more water tanks to satisfy peak demands. Walpole did not find new sources of water.

The ZBA is in the difficult position of weighing the need for more affordable housing against the increased density that will stress Walpole's only public water supply that all the residents of Walpole depend on. The restrictions of the WRPOD were known when Omni purchased the land they have no hardship that needs relief. Walpole's property owners need the ZBA to protect their portable water supply for their health, safety, and fire protection. Please do not risk Walpole's public water supply by allowing more density than allowed by making changes to the WRPOD by waivers, special permit, or any other relief. Omni should only build that which they have the right to build in this extremely environmentally sensitive area for Walpole's portable water supply.

William T. Hamilton RTM Pct. 5 March 25, 2021

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