

Jim and Deena (Horne) Howley  
23 Darwin Lane  
Walpole, MA 02081

October 7, 2021

By Email: [pdeschenes@walpole-ma.gov](mailto:pdeschenes@walpole-ma.gov)

Walpole Zoning Board of Appeals  
135 School Street  
Walpole, MA 02081

RE: The Residence at Darwin Commons, 32 Darwin Lane, Walpole, MA

We write to you as long-time residents of Walpole, and nearly 10-year residents at 23 Darwin Lane, abutting the cul-de-sac near the end of the street, and near the entrance to the proposed 40B development project by Wall Street Development.

Based on current law, there is no reasonable action to take other than to summarily invoke the HPP protections of safe harbor for this development. Those legal standards are very clear based on provided documents and public records. The town clearly has made efforts in good faith to help create opportunity for inclusive affordable housing. We encourage that trend and support continued pursuit – within the law - and in locations that provide safe, environmentally sound, neighborhoods.

This is not the project, or the location, that is feasible from a legal perspective. Beyond that, there are many omissions in the application that indicate it should be summarily rejected on merit, if Safe Harbor is not invoked.

What we find objectionable, and disturbing, is that a potentially environmentally harmful, poorly planned (see Engineers report), physically unsafe for residents, neighborhood could be considered for both current residents and those potential new residents who would live here. Based on the documents provided by the developer, and the commentary from Town representatives from Engineering, Fire, etc, show this application to be rife with misrepresentations, conflicts, omissions, and questionable report tactics.

- Take for instance a traffic study done during a National Health Crisis. What reasonable representation in the traffic study could be considered reasonable in this time of reduced traffic?
- Continued and unreasonable (and unsubstantiated) requests for waivers at every turn.
  - o Building setbacks
  - o Attached area setbacks
  - o Environmental waivers
  - o SF waivers
  - o Impervious surface waivers
- Not to mention the lack of caring and concern for residents, proven by the submitted plans:
  - o Safe pedestrian movement at the end of the cul-de-sac
  - o Safe and visible parking
  - o Reasonable grading, water runoff control, etc
  - o Snow/Ice control / and pesticide runoff

- The 750 feet street length requirement has been upheld for years for solid reasons. This cannot be abandoned for profit.

Frankly, the idea that a “reasonable” increase in traffic is the impact is just plain fantasy. Traffic already backs up on Common from Washington, all the way up to Darwin Lane entrance. How can the additional load of quadrupling the number of residences have no impact?

We believe as guardians, as well as regulators, of our community, the obligation to invoke safe harbor immediately is quite clear.

Somehow failing that, there is inexcusable lack of clarity and credibility from the developer. Whatever the end goals and motives of the developer, 40B is not the option. Frankly, anything other than a single home in the existing cul-de-sac on the available lot owned by Hasenjaeger, is the only other reasonable outcome.

Thank you for considering our concerns!

Jim and Deena (Horne) Howley