Chairman Ryer and Board of Appeals members.

As we near the end of these 40B hearings for the Habitat project in West Harwich I still hold a few concerns

 SAFETY CONCERNS

1. 40B safety compliance. I understand that there are thresholds of safety for market rate properties in a 40B. I am confused by the report from the building inspector who made a site visit to 93 and 97 Rt. 28. He cited his authority as being limited to common areas in a multifamily home and therefore he could not visit 93. 93 was listed by Habitat as being rental units belonging to HECH and while the building inspector could not do an inspection based on the usual rules what are the 40b safety thresholds for market rate units that should be addressed? These units are listed as 2 units in the 40B application.

 The barn also holds safety concerns. In 1978 application was refused for a request to create living spaces in the barn. That decision was based on zoning in place at that time which did not allow two residences on one lot. The refusal was based also on the fact that there had been a fire in the barn. I believe no safety inspections were conducted at the barn in conjunction with this current project and so I am wondering if the barn can be included or grandfathered in? It is listed as one of the 6 market rate units in the 40b application. I hope that there is a way to accomplish a living space here. The barn itself is historic and listed on the Massachusetts Historic inventory.

 So counting the barn and the house at 93 this makes 3 units total that may need safety interventions to meet the standards for 40b and complete the stated 6 market units which is part of the 40B calculations.

. HEALTH AND ENVIRONMETAL CONCERNS

2. Increased density with increased title 5 systems. All bordering a flood zone.There were two septic systems, now there will be 8.

 3. Critically impaired Herring River watershed in which groundwater, septic leaching and an existing toxic plume from Dennisport enter into the river . 93-97 is in very close proximity. About 4 houses away

 4.Road and sidewalk issues. CCC in their comments about this project listed a need for involvement with Mass Dot as there is little room for sidewalks. Your board addressed the other issues in this area.

5. HISTORIC PROPERTY REGULATORY OVERSIGHTS

This category regards the need for a 106 review and MEPA reviews.

While this subject has been introduced at an earlier appeals hearing, I do not believe we have an answer from Habitat/HECH. Based on funding sources for the project I believe both of these reviews are a requirement. How do we assure that these are accomplished?

Summary

 Based on the safety and environmental concerns partially listed in this letter I hope the board will consider asking Habitat to reduce the size of this project. When Captains’ row representatives first met with Ms. Goldsmith and Ms. Zola they talked of a plan for 3, maybe 4 houses. If it were private funds involved that would be one consideration, but public money used in a project that will impact our neighborhood to such a great degree is wrong.

 The End

I thank you for your generous gift of time to listen to our concerns during the hearing process and your excellent attention to the goals and charges of your board. I have learned quite a bit through this process. It has been unfortunate that Habitat and HECH have put forth a project that will be in the middle of a National Register District and it was often difficult to see where 40b gave any consideration to the goals and plans of the existing neighborhood.

My best to you all,

Sally Urbano

Individually