

Selectmen's Meeting – June 4, 2007

Mr. Silvia and Dr. Bowcock were present. Mr. Manzone was absent. He is recovering from surgery and is expected to be back for the June 18th meeting.

Also in attendance was Jeffrey Osuch.

Mr. Silvia called the meeting to order at 6:30 p.m.

Dr. Bowcock motioned to amend the minutes of May 21, 2007 by adding the following: Dr. Bowcock motioned to send a letter to the Mayor of New Bedford and the City Council regarding Comcast negotiations to see if both communities together can get some resolution. Mr. Silvia seconded. It was so voted.

Dr. Bowcock motioned to approve the minutes of May 21, 2007 as amended. Mr. Silvia seconded. It was so voted.

Dr. Bowcock motioned to approve the minutes of May 25, 2007. Mr. Silvia seconded. It was so voted.

ENVIRONMENTAL PROTECTION AGENCY - ATLAS TACK

Elaine Stanley, EPA Project Manager and Stacy Greendlinger, EPA Community Involvement, were in attendance to give an update on the Atlas Tack Cleanup. (See attached information.) All three phases are scheduled to be completed by September 2007. A more detailed meeting on the cleanup is scheduled for June 28, 2007 at 7:00 p.m. Place of meeting to be determined.

EXECUTIVE SECRETARY'S REPORT

Pre-construction Meeting for Town Hall Repairs is scheduled for June 6, 2007 at 11:00 a.m. at the Town Hall

East Fairhaven School Job Meeting is scheduled for June 6 and June 13, 2007 at 1:00 p.m. at the school

East Fairhaven School Building Committee will meet on June 6, 2007 at 6:00 p.m.

Mattapoissett Water District Job Meeting is scheduled for June 7, 2007 at 10:00 a.m.

Mr. Osuch will attend the SEMASS - COSC in Plymouth on June 7, 2007 at 10:00 a.m.

Fire Union Contract negotiations are schedule for 4:00 p.m. on June 8, 2007

Council on Aging will meet on June 11, 2007 at 9:30 a.m. at the Council

Selectmen's Meeting – June 4, 2007

Mattapoisett Water District Meeting is scheduled for June 12, 2007 at 4:30 p.m. at the Board of Public Works

Job Meeting with Monaco Construction for repairs to Fort Phoenix is scheduled for 8:30 a.m. on June 15, 2007

Representative Quinn will hold a meeting in Mayor Lang's Office on June 6, 2007 at 12:00 noon to discuss the agreement with New Bedford Regional Vocational School

Dr. Bowcock motioned to approve payment to Monaco Restorations, Inc., 60 Mill Street, Southbridge, MA in the amount of \$59,707.50. Mr. Silvia seconded. It was so voted. (Fort Phoenix Restoration)

Dr. Bowcock motioned to approve Change Order #9 to the contract with Agostini Construction Co., Inc., 243 Narragansett Park Drive, East Providence, RI in the amount of \$23,341. Mr. Silvia seconded. It was so voted. (East Fairhaven School)

Dr. Bowcock motioned to approve payment to Agostini Construction Co., Inc., 243 Narragansett Park Drive, East Providence, RI in the amount of \$162,843.88. Mr. Silvia seconded. It was so voted. The Board will sign the hard copy when received. (East Fairhaven School)

Dr. Bowcock motioned to award the contract in the amount of \$375,649., including alternates # 1 and #2 for the Bridge Street Infrastructure Project to the low bidder, Pavao Construction. Mr. Silvia seconded. It was so voted.

Dr. Bowcock motioned to appoint Steven J. Pereira an Associate member of the Conservation Commission. Mr. Silvia seconded. It was so voted. Term to expire May 31, 2008.

BUILDING DEPARTMENT

Construction Report for May 2007 will be placed on file.

EMERGENCY MANAGEMENT AGENCY

Mr. Silvia read the letter from the Westport Fire Department stating their interest in acquiring Fairhaven EMA's 1994 Ford bus. (See attached.) Dr. Bowcock motioned to donate the bus to Westport. Mr. Silvia seconded. It was so voted.

NATURAL RESOURCE DEPARTMENT

Division of Marine Fisheries notice that North Cove is closed to shellfishing will be placed on file.

Selectmen's Meeting – June 4, 2007

POLICE DEPARTMENT

Mr. Silvia read the Police Chief's recommendations for parking in the vicinity of the new East Fairhaven School. (See attached.) Dr. Bowcock motioned to approve the recommendations. Mr. Silvia seconded. It was so voted.

Mr. Silvia read the letter from the Police Chief regarding the Animal Control Officer's van. (See attached.) Dr. Bowcock motioned that he is in favor of allocating the 1992 Dodge Ram van, recently acquired by the Police Department, to the Animal Control Officer. Mr. Silvia seconded. It was so voted.

RECREATION DEPARTMENT

Fourth Annual "Miles for Matty" walk is scheduled for Sunday, June 24th beginning at 9:00 a.m. at Fort Phoenix State Park.

MASSACHUSETTS MUNICIPAL ASSOCIATION

"Municipal Partnership Act Advocacy Kit" was taken under advisement.

TOWN OF WALPOLE

Mr. Silvia read the first paragraph of the letter from the Town of Walpole regarding "unfriendly 40B projects". (See attached.) Brief discussion followed.

NSTAR GAS

Dr. Bowcock motioned to approve the petition for gas line maintenance on Jerusalem Road beginning at house #5 and westerly for approximately 100 feet to top end of road. Mr. Silvia seconded. It was so voted.

OTHER MATTERS

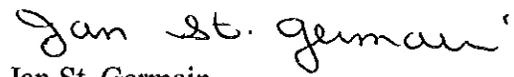
Dr. Bowcock attended the Installation of Officers Meeting of the East Fairhaven Improvement Association on May 22nd. Edith Silva was elected President. Residents were encouraged to join and support the East Fairhaven Improvement Association

The Board will closely monitor the current financial situation in the Town of Dartmouth. Future budgets and planning in the Town of Fairhaven will be closely watched, so that Fairhaven will not face the same financial problems.

Selectmen's Meeting – June 4, 2007

EXECUTIVE SESSION

At 7:40 p.m., Dr. Bowcock motioned to go into executive session to discuss the "Release and Settlement Agreement" for an individual in the Tax Collector's Office, personnel issues regarding the Shellfish Warden and Harbormaster and not to reconvene in open session. Mr. Silvia seconded. It was so voted. Roll call vote 2-0.



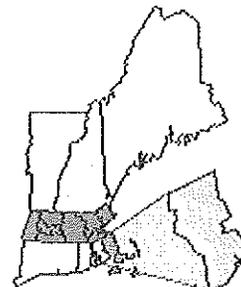
Jan St. Germain
Secretary

May 2007

Atlas Tack Corporation Superfund Site Fairhaven, Massachusetts

Background

The roughly 48-acre Atlas Tack Corporation Superfund site is located at 83 Pleasant Street in Fairhaven, Massachusetts, approximately one-half mile from Fairhaven Center. The site's surrounding area is predominantly residential. It is bounded by a bike path, residences, and several commercial/light industrial businesses to the north, a tidal marsh to the east, an elementary school about 200 feet to the northwest, and residences immediately to the south.



Purpose of this document

EPA-New England is responsible for the cleanup of over 100 Superfund sites throughout the six New England states. Protecting human health and the environment is the primary objective of these cleanups. EPA, however, also recognizes the value in helping to return Superfund sites to beneficial reuse. As the Atlas Tack Corporation Superfund site cleanup nears completion, EPA believes it is helpful to provide site information which can be useful to Town officials, the public, and other interested parties.

The site itself consists of approximately 13 commercially-zoned acres, 11 acres of upland and filled wetland/tidal marsh north of a hurricane dike and about 24 acres of salt water tidal marsh south of the dike. Boys Creek runs through the site and discharges to Priest's Cove in Buzzards Bay at the site's southernmost portion.

On-site disposal activities and discharges from the former manufacturing processes contaminated soil, sediment, groundwater, and surface water with: heavy metals, including arsenic, lead, copper, zinc and cadmium; volatile organic compounds; semi-volatiles organic compounds, mainly polyaromatic hydrocarbons (PAHs) and polychlorinated biphenyls (PCBs); cyanide; and pesticides. The site was added to EPA's National Priorities List in 1990.

The Atlas Tack facility was built in 1901 by Henry Huttleston Rogers and historically manufactured wire tacks, steel nails, rivets, bolts, shoe eyelets and similar items. The facility operated electroplating, acid-washing, enameling, and painting processes until 1985. Process wastes containing acids, metals and solvents were discharged into drains in the floor of the main building, into Boys Creek marsh, and into an on-site lagoon. The lagoon effluent discharged to the salt marsh and Boys Creek. Chemicals also permeated the floors and timbers of buildings and migrated to adjacent soil and groundwater. Industrial fill was deposited on top of the original marsh surface to the east of the Atlas Tack buildings. A 3.2 acre property on Church Street, about 500 feet southeast of the main Atlas Tack building, also received waste from a number of sources.

of contaminated soil and sludge from this 10 acre Commercial Area. The demolition and excavation was completed in 2006.

Phase II: Solid Waste & Debris Area

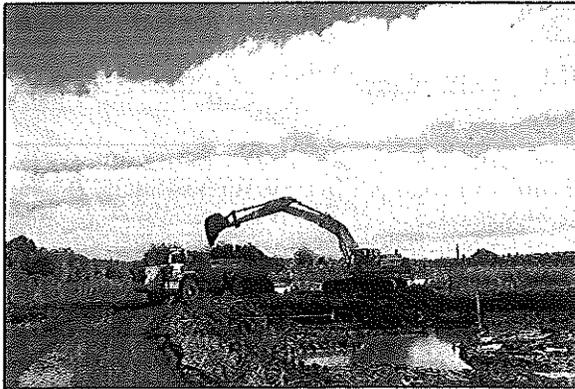
The excavation of an estimated 38,000 cubic yards of contaminated soil, sludge, and debris from the Solid Waste and Debris Area was completed in March 2007. Remaining efforts include the off-site disposal of the last piles of contaminated soil and debris.



Demolition of the manufacturing building

Phase III: Marsh Area

An estimated 23,000 cubic yards of contaminated Boys Creek Marsh soil and Boys Creek bed sediment is being excavated as part of the Phase III cleanup. The wetlands will be restored to pre-industrial conditions and includes re-creation of a fresh and salt water wetland environment.



Sediment and soil excavation in marsh

As with all Phase I and II activities, Phase III includes continuous air monitoring during working hours. Sampling results continue to show no detectable particulates or concentrations far below any level of concern.

Post-Cleanup Activities: Monitoring, Maintenance & Use Restrictions

EPA will ensure the site's restoration is successful and will monitor the site's groundwater for ten years, after which the Massachusetts Department of

Environmental Protection (MassDEP) will take over groundwater monitoring until the cleanup goals are attained. Aside from groundwater monitoring, MassDEP will be responsible for all other monitoring and maintenance activities within one year from the completion of all the cleanup phases. In order to conduct these activities, EPA and MassDEP will retain unlimited site access. See *Reuse Status* section for a discussion of possible use restrictions.

Property Ownership/Settlement Agreements

Hathaway-Braleley Wharf Company

A 3 acre portion of this 6 acre property is within the site boundary and abuts the southeast side of the Atlas Tack property (Map 6, Lot 46 on the Town Assessors Map) and includes both a portion of the Solid Waste Debris Area as well as a portion of the Marsh Area.

Atlas Tack Superfund Site

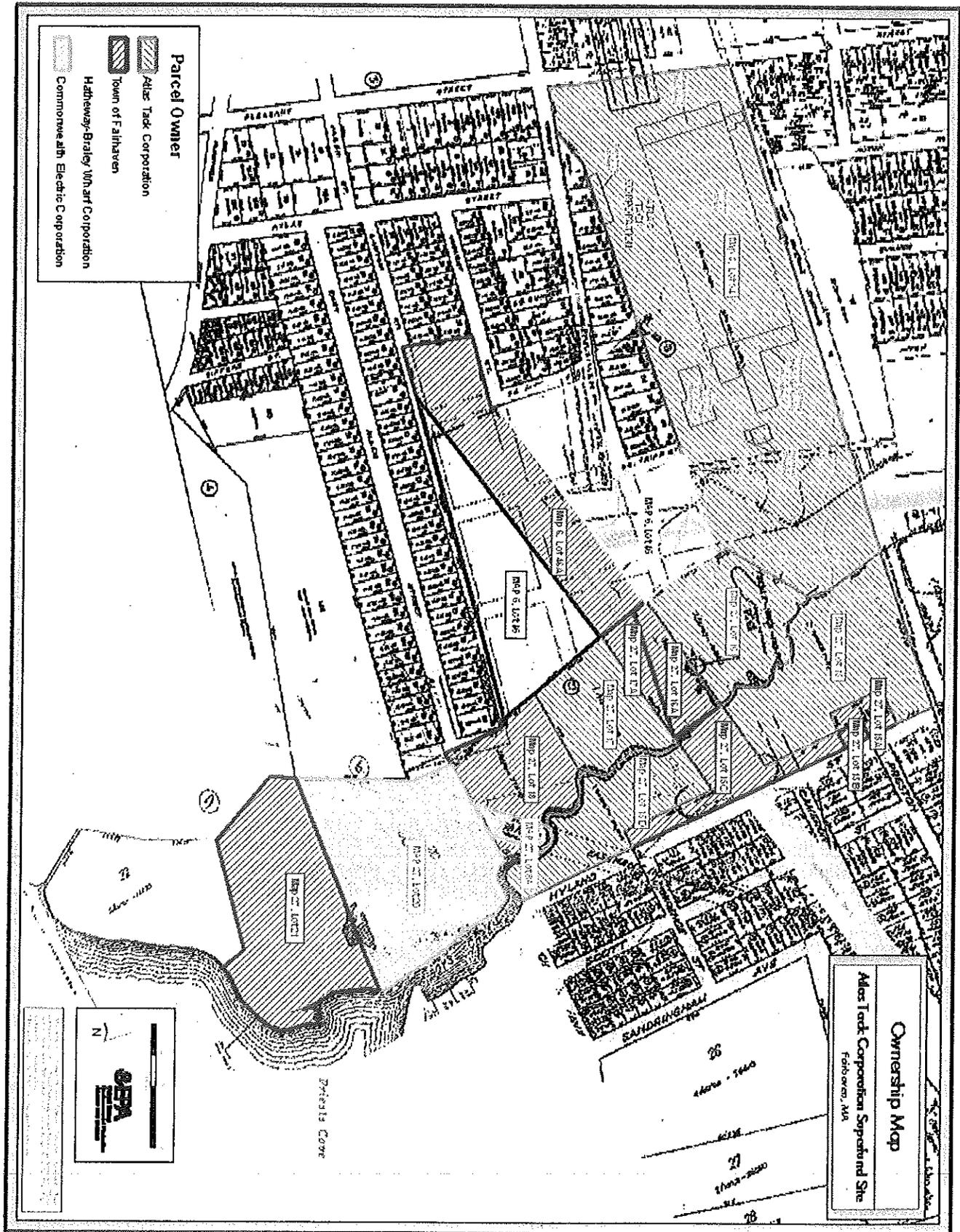


Figure 2 - Ownership Map

assumed by the owner/developer. Any zoning changes required for a different use are under the authority of the Town.

Use restrictions will be put into place through an Environmental Restriction & Easement, recorded with the Bristol County Southern District Registry of Deeds, to ensure that no future actions will compromise the protectiveness of the site's cleanup. These restrictions likely will prohibit residential and recreational use – and certain other uses such as daycare centers and community gardening – and restrict future soil excavation and construction activities in designated areas. Installation and use of groundwater wells will be prohibited. The removal of most of the contamination source is expected to significantly reduce the levels of contamination in the groundwater over time. However, any restriction on groundwater use might ultimately be eliminated once the groundwater quality meets all cleanup criteria. Should the site in the future be cleaned to meet more stringent cleanup standards, EPA may possibly alter some of the use restrictions.

The Solid Waste and Debris Area:

On the Atlas Tack property, the former lagoon area and the fill area are considered part of the Solid Waste & Debris Area. Much of this area was originally a salt marsh and is being restored to a functioning wetland. Wetland protection laws will govern the use of this area. For the small portion of the area that zoned commercial/industrial and is not a wetland, EPA will be instituting the same use restrictions described above. However, some of this area's use restriction will be broader in that it will include a ban on commercial or industrial activity.

The Marsh and Creek Bed Area:

The parcels belonging to Atlas Tack are within the Marsh and as such are comprised of wetlands. Wetland laws and regulations will dictate what if any use is permissible.

Should there be any interest in reusing the Atlas Tack Corporation Superfund site, EPA will work with the property owners, developer, and Town to ensure that any reuse actions taken maintain the protectiveness of EPA's cleanup.

Further information concerning the use restriction and conservation easement that will be applicable to these properties may be found by consulting the two consent decrees entered in the United States District Court for the District of Massachusetts. They are: United States v. Hathaway-Braleay Wharf Co., Civil Action No. 03-cv-11259-WGY entered February 28, 2004 and Atlas Tack Corp. v. Fairhaven, No. 01-cv-10501-WGY (lead case); United States v. Atlas Tack Corp., No. 03-cv-11601-WGY; U.S. v. Atlas Tack Corp., No. 04-cv-11880-WGY, entered June 1, 2006.

5.



TOWN OF WESTPORT

Fire Department

P.O. Box 3470
911 Main Road
Westport, MA 02790

Chief

Brian R. Legendre
Tel. (508) 636-1110
Fax. (508) 636-1108

Deputy Chief

Allen N. Manley Jr.
Tel. (508) 672-0721
Fax (508) 672-0287

RECEIVED
MAY 30 11:55
BOARD OF SELECTMEN
FAIRHAVEN MASS

May 29, 2007

Board of Selectmen
Town of Fairhaven
40 Center St.
Fairhaven, MA 02719

Dear Chairman Manzone,

This letter is to inform the Board that the Westport Fire Department is interested in the 1994 Ford Bus that Fairhaven Emergency Management has. It has come to our attention through our EMA Director that your EMA Department is looking to donate this vehicle to a Department that will have a use for it. I would ask your Board to consider donating the Bus to the Westport Fire Department. We could use this vehicle in a variety of ways that would benefit our Department. I thank you for your consideration with this request. If you or your Board members have any questions please feel free to contact me at 508-889-4319.

Sincerely,

Brian R. Legendre
Fire Chief

p.c. Marc Jodoin, EMA Director

APPROVED BY THE BOARD OF SELECTMEN – JUNE 4, 2007

cc: EMA - 6/5/07

7A.



GARY F. SOUZA
CHIEF OF POLICE

COMMONWEALTH OF MASSACHUSETTS
TOWN OF FAIRHAVEN

RECEIVED
DEPARTMENT OF POLICE
1 BRYANT LANE
200 FAIRHAVEN, MA 02719
www.fairhavenpolice.org

BOARD OF SELECTMAN
FAIRHAVEN MASS

TELEPHONES

Dial 911 Emergency
(508) 997-7421 Non-Emergency
(508) 997-1344 Business
(508) 997-3147 Fax

DONALD A. JOSEPH
LIEUTENANT

May 23, 2007

Board of Selectmen
Town Hall
40 Center St.
Fairhaven, MA 02719

RE: Parking in Vicinity of East Fairhaven School

Gentlemen:

Sgt Stephen Foster and Safety Officer Macy Joseph have done extensive research and planning in an effort to develop a parking scheme on New Boston Road in the area of East Fairhaven School with the goal of maximizing child and pedestrian safety yet allow a smooth flow of traffic particularly during student drop off and pick up times.

Sgt Foster and Officer Joseph met with School Department and BPW personnel as part of their research and have come up with the following 3 recommendations which I endorse and request you adopt.

Please see the attached memo which describes the recommendations in greater detail and provides rationales for the recommendations.

1. Post a new "No Parking Here to Driveway" sign on the west side of New Boston Road 8 feet north of the new school entrance. The sign should be 8 feet from the new curb cut for the north side of the driveway.
2. Post four (4) new "No Parking This Side" signs on the west side of New Boston Road, south of the new exit from the school. (Please see attached memo for positioning)
3. Reposition existing "No Parking/Stopping Between Signs". (Please see attached memo for repositioning)

I respectfully request you review these documents and adopt the recommendations which came about as a result of extensive research into the problem.

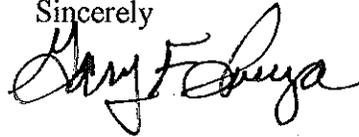
APPROVED BY THE BOARD OF SELECTMEN – JUNE 4, 2007

cc: Police Chief 6/5/07
School Dept
BPW

Michael Schvior
[Signature]

I particularly wish to commend Sgt. Stephen Foster to you for the long hours and hard work he put into this matter.

Sincerely

A handwritten signature in black ink, appearing to read "Gary F. Souza". The signature is written in a cursive style with a large, prominent "G" and "S".

Gary F. Souza
Chief of Police

cc: BPW
School Department

May 14, 2007

To: Chief Gary Souza
From: Sgt. Stephen Foster, Jr.
RE: No Parking – New Boston Rd. – New East Fairhaven School

Chief Souza:

As a result of our meeting with Safety Officer Joseph on May 2, 2007 concerning parking on New Boston Rd., in the immediate vicinity of the new East Fairhaven School, the following recommendations are being submitted. There are three (3) recommendations for No Parking, involving either the posting of new signs or the moving & reposting of existing signs to conform to the new construction. This is an effort to provide for child & pedestrian safety and the smooth flow of traffic in the school zone.

Recommendations:

- 1.) The posting of a new “No Parking Here To Driveway” sign on the west side of New Boston Rd. 8 feet north of the new entrance to the school. This new post & sign would be 8 feet from the new curb cut for the north side of the driveway.
- 2.) The posting of four (4) new “No Parking This Side” signs on the west side of New Boston Rd., south of the new exit from the school. These signs would be new, post & sign. The first located where the new curb for the driveway meets the old, just as it straightens out. The remaining three would be posted south bound approximately every 67 feet.

*Note: Recommendation #2 would provide for no parking along the west or school side of the street providing for child & pedestrian safety and a smooth flow of traffic in what will be a heavily congested area during the arrival & dismissal of students. The new signs will be in addition to new, no parking signs that will be posted by the project contractor constructing the three-lane intersection at New Boston Rd. & Rt. 6. This new construction will have no parking on both sides of New Boston Rd. in compliance with Government safety regulations. (See striping & sign plans for new construction).

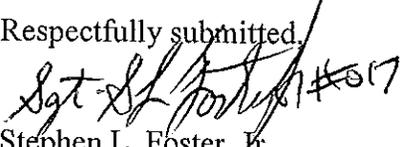
- 3.) The reposting of existing “No Parking/Stopping Between Signs” with appropriate arrows on the east side of New Boston Rd., opposite the new school driveway. The signs presently exist, having been posted for the old school. However, they need to be moved north to provide for the new driveway location!
 - 3a.) Move the southern most sign, presently in front of #17 New Boston Rd., 108 feet north to the front of #19 New Boston Rd. The new post should be 23 feet north of the driveway at 19 New Boston Rd. & 8 feet south of utility pole #181/5.
 - 3b.) Move the northern most sign, presently across from the new school driveway 47 feet north from its present location to a point 37 feet south of utility pole #181/6.

**Note: Recommendations #1 & #3 would provide for the free and safe flow of school bus traffic entering onto & exiting from the new school grounds from/onto New Boston Rd.

- Recap: 1.) New "No Parking Here To Driveway" Sign just north of the driveway.
2.) Four New "No Parking This Side" Signs south of the driveway.
3.) The reposting further north of the two existing "No Parking/Stopping Between Signs" across from the school driveway.

As stated in the recommendations for traffic control submitted to you on April 30, 2007, in consultation with Mr. Jeffrey Osuch of the Town Hall & Mr. John Charbonneau of the BPW, the signs and materials can be ordered through the BPW and paid for by the school building funds. The signs would need your approval & that of the Board of Selectmen. Thank you for your consideration in this matter.

Respectfully submitted,


Stephen L. Foster, Jr.
Sergeant #11/017

SCHOOL

RT 6

#2
NOTE

#2

#1

DRIVEWAY

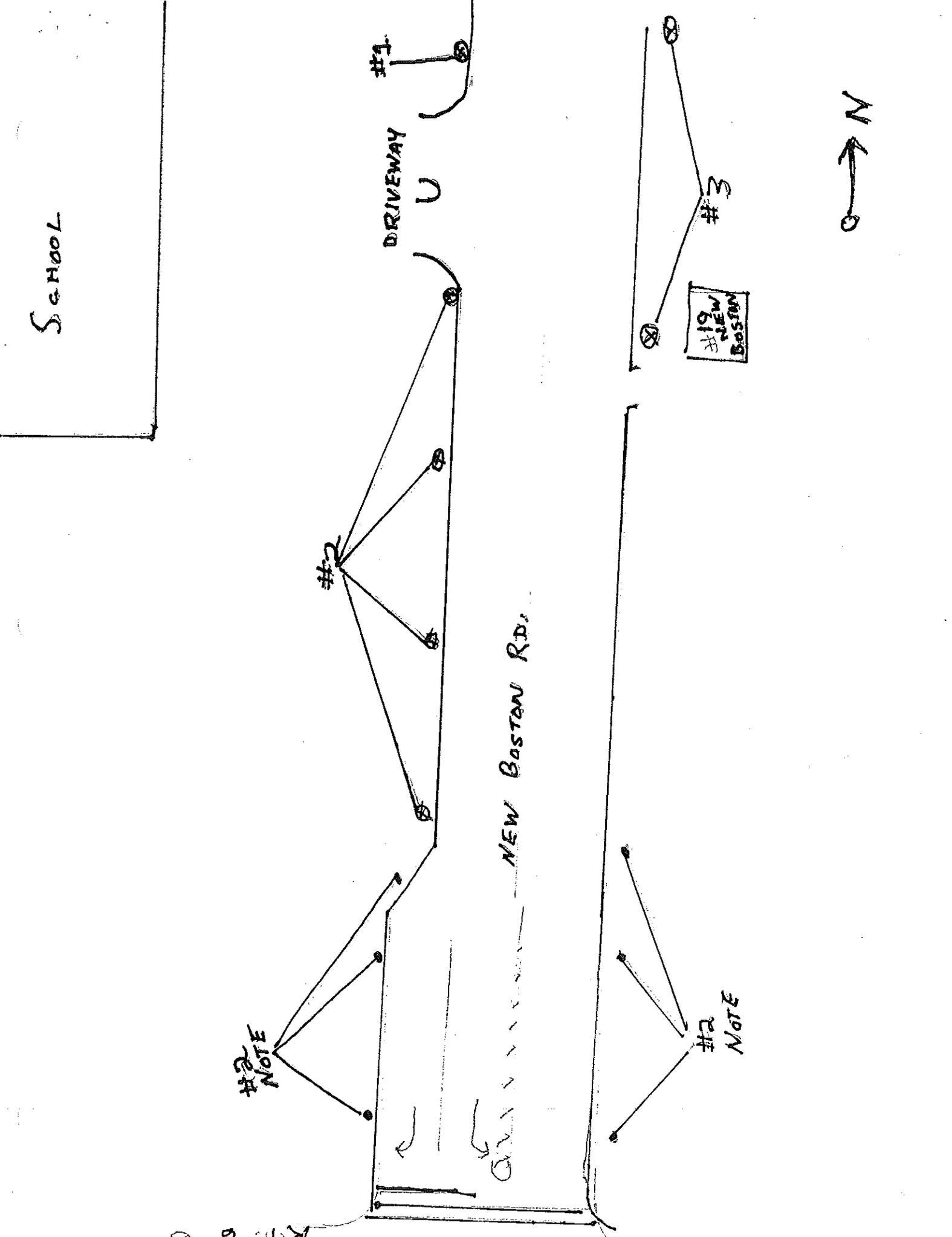
U

NEW BOSTON RD.

#2
NOTE

#19
NEW
BOSTON

#3





GARY F. SOUZA
CHIEF OF POLICE

COMMONWEALTH OF MASSACHUSETTS
TOWN OF FAIRHAVEN

DEPARTMENT OF POLICE
1 BRYANT LANE
FAIRHAVEN, MA 02719
www.fairhavenpolice.org

TELEPHONES **7B.**
Dial 911 Emergency
(508) 997-7421 Non-Emergency
(508) 997-1344 Business
(508) 997-3147 Fax

DONALD A. JOSEPH
LIEUTENANT

May 31, 2007

Board of Selectmen
Town Hall
40 Center Street
Fairhaven, MA 02719

Gentlemen:

I have long noticed that the ACO van is in poor condition.

We have obtained a surplus van from the US Air Force within the past week. It is a 1992 Dodge Ram van but only has 32,000 miles on it and is in excellent running condition. It was only used to run errands inside Westover Air Force Base.

We obtained this van through the federal surplus property program which allocates surplus equipment to local and state law enforcement agencies. The van must remain titled to the Fairhaven Police Department and in some way used for law enforcement purposes.

I request the Board consider allocating the van to the ACO if she determines that it can be a cost effective replacement for her current vehicle.

Sincerely

Gary F. Souza
Chief of Police

RECEIVED
MAY 31 A 10:44
cc: ACO
BOARD OF SELECTMAN
FAIRHAVEN MASS

BOARD OF SELECTMEN

Joseph M. Denneen, Chair

Albert A. DeNapoli, Vice Chair

Christopher S. Timson, Clerk

Michael F. Caron

Catherine E. Winston



10
Walpole Town Hall
135 School Street
Walpole, MA 02081
Phone (508) 660-7277
Fax (508) 660-7303

TOWN OF WALPOLE
COMMONWEALTH OF MASSACHUSETTS

BOARD OF SELECTMAN
FAIRHAVEN MASS

2007 MAY 25 A 11:10

RECEIVED

May 17, 2007

Fairhaven Board of Selectmen
40 Centre St
Fairhaven, MA 02719

Dear Members of the Fairhaven Board of Selectmen:

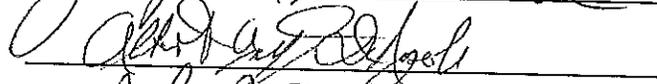
For several years now, our community has heard concerns from many other communities in Massachusetts about the negative impacts that have resulted from the development of so-called "Unfriendly 40B" projects. We share those concerns and are dealing with the effects of a 300-unit project on Route 1 in our Town. Yet despite the concerns, little if anything seems to have occurred at the State level to truly understand, diagnose, and finally correct the problems that the 40B legislation has created. Newer forms of legislation, such as "40R" and "40S" have been introduced in recent years to give some control back to cities and towns, but the underlying dilemma posed by the allowance of subdivisions that essentially follow no community by-law or regulation and are unwelcome by local permitting boards has not changed. We believe that now is the time to change it.

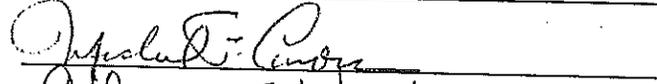
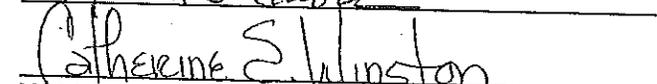
Attached please find a letter that we have sent to members of our legislative delegation seeking an immediate suspension of that part of the law that allows for unfriendly 40B applications. We are recommending that the time created under this moratorium be utilized by local and state leaders to come together to dissect Chapter 40B, identify the problems, and permanently fix the problems that we deal with year in and year out. Following this process, it is anticipated that a much better piece of legislation will be introduced, and the true original intention of providing affordable housing to residents of the Commonwealth will be reality. Please also be assured that it is our suggestion that the provisions of 40B that allow communities to work with developers on jointly-supported projects, such as Local Initiative Plans, not be part of the moratorium. At the end of the day, development that respects a community's home rule and right to "plan" is in everyone's best interest.

After you review the attached correspondence, we respectfully ask that you join with us in this most important endeavor. We ask that your Board vote to support this request for legislation, and that you also notify your legislators asking them to sign-on. Finally, we request that you notify our Board of your vote in order that we may record the many communities who share our concerns.

We thank you for all that you do and your support moving forward. If we can be of any assistance to you, please do not hesitate to contact us.

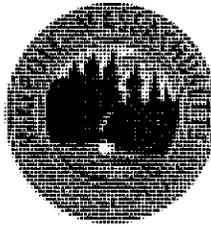
Very truly yours,




WALPOLE BOARD OF SELECTMEN

BOARD OF SELECTMEN

Joseph M. Denneen, Chairman
Al DeNapoli, Vice Chairman
Christopher G. Timson Clerk
Michael F. Caron
Catherine E. Winston



TOWN HALL
135 School Street
Walpole, MA. 02081
(508) 660-7277
(508) 660-7276
(508) 660-7303 Fax

May 16, 2007

The Honorable James Timilty
Massachusetts Senate
Massachusetts State House
Room 518
Boston, MA 02133

Dear Senator Timilty:

Please accept this letter as a request for your support in filing legislation that will cause the immediate suspension of MGL Chapter 40B, the Comprehensive Permit Law, as it applies to applications for comprehensive permits not supported by the community, applications more commonly referred to as "unfriendly 40Bs". We truly understand the need, and support affordable housing for all citizens; however, it has now become widely recognized that the law is simply not being applied as fully intended in communities across the Commonwealth. Moreover, during this period of continued fiscal uncertainty in most cities and towns, we feel it would be a considerable benefit to suspend these current regulations until a thorough and exhaustive review of the existing forty year old legislation and the challenges it has and is causing cities and towns.

Many communities, as well as our own, continue to deal with the adverse impacts these housing projects have had. As you are aware, in 2005, a 300-unit rental project was completed and occupied in Walpole. That has resulted in a sharp increase in demand for town services, including public safety and schools, and continues to create problems for our town given its location on Route 1 just north of Gillette Stadium. And as we sit today, less than two years after realizing the impacts of the 300-unit development, we are now facing the prospect of another 240-plus unit rental project in our downtown that has the potential to have a significant unplanned impact on the character of our historic town center. Add these together with several proposed 40B developments in the Town of Sharon along or near the Walpole line, and it is not surprising to realize that the costs incurred as a result of such rapid and unplanned growth will outpace a community's ability to meet the service demands they generate. Further, it undermines local zoning by-laws and ordinances that truly represent how citizens of a community want their city or town to look and feel. And at worst, it has become a misused tool for some developers to maximize profits by placing housing in unsuitable and misplaced locations rather than in well-planned and appropriate areas in communities.

Please be assured that the Board of Selectmen is not seeking to eliminate Chapter 40B completely. Nor is the Board seeking to avoid its obligation to the citizens and businesses of the Commonwealth to increase the affordable housing stock. In fact, we are currently involved in a process to create a Housing Production Plan to expand our affordable housing base. Rather, we are suggesting that a moratorium on the filing of unfriendly 40B applications will give Walpole and all communities an opportunity to

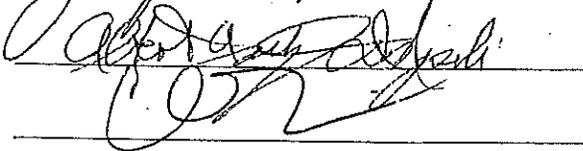
determine how best we can make the law work, with modifications, going forward into the next decade and beyond. The study time that a moratorium would create is exactly what is needed at this most critical juncture. It will allow communities to consider alternative affordable development options, such as so-called 40R and 40S projects, as well as still allowing communities and developers to partner with each other utilizing the benefits of 40B in a cooperative versus adversarial environment. Without an immediate suspension, many communities may add affordable units to their housing base, but they will not be doing so in a manner that benefits anyone, including those who will someday occupy those units.

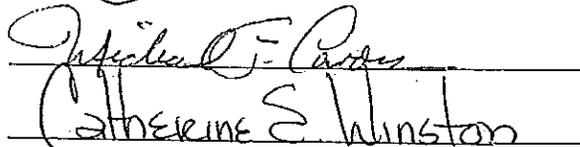
Together we can address this most important issue, and together we can make the Commonwealth and its cities and towns more affordable for all.

We urge you to strongly consider our request on this important matter.

Sincerely,







Catherine E. Winston
WALPOLE BOARD OF SELECTMEN

cc: Representative Richard Ross
Representative John Rogers
Representative Louis Kafka