

# Darby commentary 'riddled with inaccuracies'

**EDITOR'S NOTE:** The following correspondence from Osterville Town Councilor Jim Crocker to Councilors Janet Joakim and Leah Curtis was sent last Friday in response to their Guest Commentary in the March 31 edition of the *Patriot*. It has been recorded with the town clerk and is reprinted here in its entirety. Minor differences in the text are the result of corrections to typographical and grammatical errors.

## Re: Patriot guest commentary, "Darby"

Fellow Councilors:

I understand your commitment to defeat the request for COMM's Water Easement contained in agenda item 2006-100. I will not make any attempt to influence your positions on this item. I am writing today to influence the approach we all take as Town Councilors to this item; please treat this item with the same due diligence, non-personal approach as I've seen from you two Councilors in the past.

Why do I take the time to write the E-mail to talk about a common sense approach? Because your Guest Commentary Article in the *Patriot* is riddled with inaccuracies. I don't want to believe the article was written with the intent to spew inaccurate incorrect information. When any councilor sponsors an agenda item, one needs to correct false public perception and inaccurate information. It will take many hours away from my family and livelihood to correct the damage from this poorly researched article. I will do it; but it angers me to have to spend my time this way. As we've all seen of my personal flaws, I don't hide my anger well! I'm never angered over a disagree-

ment of opinions; I'm always angered over covert personal attacks that lack substantive empirical support.

To support my position of the inaccuracies of your Guest Commentary Article. I propose the following for your consideration:

### 1) Item 2006-100 requests a Conservation Restriction.

**FALSE:** The agenda item at my request of the Town Manager's office does not include a conservation restriction.

**TRUE FACT:** A conservation restriction normally would not allow pumping for Public Well Supply without a recorded exemption.

**TRUE FACT:** Your article is riddled with fear and loathing techniques about an impending dooms day effect should a "non-existent" Conservation Easement be placed on the land when in fact that type of easement isn't requested.

### 2) The fear and loathing techniques regarding Water Treatment costing millions of dollars for each well.

**FALSE:** Is the perception that not all wells are treated before consumption by the public.

**FALSE:** Is the perception that DEP-approved wells don't normally cost millions of dollars.

**TRUE FACT:** All wells have some form of treatment by DEP regulations based on sampling.

**TRUE FACT:** Every well costs millions of dollars. I stated this during the Asset Review of the Barnstable Water Company.

**TRUE FACT:** The document circulated to each of us from the Groundwater Geologist DeNatie states that wells cost millions of dollars.

### 3) The fear and loathing technique that land we paid millions for would be restricted to passive recreation.

**FALSE:** The impression throughout the article that the entire land would have restrictions.

**TRUE FACT:** The easement

as sent to us Councilors after GIS calculations state 17.71AC of upland affected by the easement. The Darby parcel is 106 plus acres according to GIS calculations.

**TRUE FACT:** The Town will not deed out the Pond area in the easement because the Town was not deeded the Ponds.

### 4) The fear and loathing techniques that ball-fields will not be permitted in the area.

**FALSE:** The assertion that the balance of the area can't accommodate a ball field or co-habitat with a zone one well field.

**TRUE FACT:** The easement leaves over 53 acres of upland not encumbered by either the original acquisition conservation title or this request of COMM. Several ball fields can be built on 50 acres.

**TRUE FACT:** Ball fields can co-habitat with Zone 1 well areas. Barnstable just built McBarron Fields on Old Falmouth Road, Marstons Mills, with a COMM active well only several hundred feet to the South.

### 5) The incorrect assertion regarding the COMM and Town Agreement.

**FALSE:** The statement that the design recognized water issues.

**TRUE FACT:** The water issues you reference are septic and pond water issues.

**TRUE FACT:** The agreement didn't address Public Well Supply because no science was available at the time.

**TRUE FACT:** The Agreement was drafted prior to public well supply testing and in fact it was this Agreement which allowed for COMM to enter the property for public well supply testing.

### 6) The article states Osterville affordable housing plans "have not yet come to fruition; there has been little to no progress to date."

**FALSE:** The assertion is unsubstantiated and false in every

arena.

**TRUE FACT:** I placed myself in a tough spot to resolve a legal conflict with the Sweeney parcel. The Town took the Sweeney parcel and Sweeney was suing for damages. The Town Manager, the Legal Department and myself brought all parties to the table; assisted in a resolve which got M Sweeney the parcel and a LIP program for affordable units of that site.

**TRUE FACT:** I have several hours of work with Osterville Village Association (OVA) getting the redraft of the Local Comprehension Plan (LCP) to identifying in writing support for parcels to be developed under the affordable housing umbrella.

**TRUE FACT:** I have recently requested of the Manager's Office the drafting of RFP's on these sites after the budget season.

### Editorializing

This inaccurate statement is a personal insult to me after the hours of time I have invested to see progress. Each of you two councilors come from Villages that have missed their 10% quota by more than 300 housing units. What have you two accomplished in your Village to foster a housing plan?

I respectfully request you two councilors take time and a microscope to review my above mentioned factual points. I look forward to your response. I am recording this E-mail with the Clerk on Monday because of the late hour. My only request is that you respond in writing and also record that response with the Clerk. We do not need another assertion of bad behavior for not making our position and e-mails known to the public. I await your response.

**TRUE FACT: WATER IS THE COMMUNITY'S LIFE BLOOD; WATER MUST BE AVAILABLE FOR ALL OF THE COMMUNITY'S FLOCK.**