

WILLIAM D. DELAHUNT
TENTH DISTRICT, MASSACHUSETTS

264 Rayburn House Office Building
Washington, DC 20515
(202) 225-3111
www.house.gov/delahunt

SOUTH SHORE
1-800-794-9811

1250 Hancock Street
Suite 802 N
Quincy, MA 02169

CAPE COD & ISLANDS
1-800-870-2628

146 Main Street
Nyahams, MA 02861

Congress of the United States
House of Representatives
Washington, DC 20515-2110

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July 23, 2008

The Honorable Dirk Kempthorne, Secretary
Department of Interior
1849 C Street, NW
Washington, D.C. 20240

Dear Secretary Kempthorne:

I am writing to urge the Department of Interior to appeal the Wellfleet Zoning Board of Appeals' (ZBA) decision concerning the issuance of a building permit for the construction of a house on Chequessett Neck Road – a decision that is inconsistent with the building standards of the Cape Cod National Seashore and opens the door to widespread abuse.

As you know, there are more than six hundred private homes that have been allowed to exist within the Cape Cod National Seashore. The law establishing the park permitted properties to remain in private possession so long as local governments adopted zoning by-laws governing construction and improvements in a manner consistent with the character of the landscape. The federal law requires local zoning to conform to the standards adopted by the Secretary of Interior. If towns fail to adopt and enforce these standards, then the Secretary is authorized to take steps to acquire private homes that are within the park boundary of that municipality.

The issue at hand in Wellfleet is significant, and it merits strong federal intervention. By way of background, the Wellfleet Building Inspector issued a permit in April 2008 for the construction of a large home at 1440 Chequessett Neck road to Blasch DelMar LLC, a for-profit corporation headquartered in Pennsylvania. The building is being proposed on one of the most scenic sites within the Seashore and is four times larger than the property it is intended to replace. It is a building proposal that violates the spirit of the zoning standards established by the Secretary.

The Cape Cod National Seashore submitted an appeal to the Wellfleet ZBA as an abutter to prevent this project from going forward. However, the Wellfleet ZBA denied the appeal over the objection of the National Park Service and other local officials that the town zoning by-laws were not being properly enforced. The Seashore and the Secretary of the Interior now have until July 25, 2008, to file an appeal to this decision in the Massachusetts Land Court. I want to urge the Department to file such an appeal.

If the Department fails to act – and if the construction of this home is left unchallenged – it will open the door to additional large-scale construction projects that will significantly erode the character of the Seashore. The controversy raises valid questions about the adequacy of Wellfleet's zoning by-laws and their compliance and consistency with federal regulations and state law. Should the town's by-laws be determined to be out of compliance – which is a very

real possibility – other private homes in Wellfleet that are within the boundary of the Cape Cod National Seashore are likely to be at risk for potential federal acquisition.

Since this specific model to manage and control private property has been replicated in many other parks, it is imperative that this Wellfleet case be dealt with and resolved expeditiously. It is a serious problem that deserves prompt and swift action. It also suggests the need for a long-term strategy for maintaining and protecting the character of the Cape Cod National Seashore.

Thank you in advance for your cooperation. I look forward to working with you on this important issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Delahunt". The signature is written in a cursive, slightly slanted style.

William D. Delahunt