

December 6, 2023

Sherborn Zoning Board of Appeals  
Sherborn Town Hall  
19 Washington Street  
Sherborn, MA 01770

Re: Concerns on Farm Road Homes 40B

Dear Chairperson Novack and Board Members:

This letter highlights several concerns about the 32-home 40B proposed by Fenix Partners Farm Road, LLC. Thank you for managing the public hearing process and allowing us to share our concerns.

1. We do not believe the developer has demonstrated “site control” based on the arguments shared with your board by Atty Arthur Feno and Atty Dennis Murphy regarding an adjacent parcel of land and recorded deed restriction.
2. Sherborn residents rely solely on groundwater as the only source of potable water, we believe this project will negatively impact our drinking water and that one or more adjacent private wells will have elevated nitrogen levels with no public water source in the area.
3. Recent development in Sherborn has resulted in fouling of nearby private wells despite numerous warnings and concerns raised by residents, experts, and lawyers. If this project is approved as proposed, we believe there will be negative impacts to: public health, wetlands and environmental receptors, and to the groundwater in Zone II downtown public water supplies.
4. ZBA should require a Public Water Supply system (PWS) as regulated by Mass DEP to protect the public health of future Farm Road Homes residents. Based on discussions during the public hearing, the developer is avoiding a regulated PWS to maximize profit.
  - a) A 32-home development exceeds the minimum statutory requirements for a PWS.
  - b) MassDEP appears willing to allow 7 clustered private wells that would not otherwise be allowed under Sherborn local bylaws. If allowed, this waiver creates a conflict with a statement found on [www.mass.gov/private-wells](http://www.mass.gov/private-wells) “*MassDEP does not regulate private wells. Your local board of health or health department regulates them*”.
  - c) At no time during the 40B public hearing are future residents (including homeowners of the 8 affordable units) able to comment on the public health risks or benefits PWS vs. private wells – the developer is financially motivated to go with private wells so ZBA should advocate for the safest option for all future residents.

Thank you for this opportunity to voice our concerns. If we are unable to log in to the ZBA meetings, it is good to know we can review the meetings as recorded and posted on the town website.

Sincerely,

Mary & Brian Moore  
49 Farm Road, Sherborn MA