

December 10, 2023

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

Re: Concerns of Farm Rd Homes 40B

Dear Rick Novak and Committee Members,

There are 3 concerns I have regarding this project:

I feel strongly that the issue of the recorded deed restriction needs to be resolved now before this drags on any longer. If the land can't be divided this whole project is moot.

I also continue to be concerned about the impact this development would have on our drinking water. Citizens should be protected from contaminants that once are in the water the homeowner is unable to remediate. The possibility of nitrogen in the water that has been discussed is a real concern for me.

With the size of this project it seems prudent for you to require the development to put in a Public Water System to protect the homeowners should this project go forward.

Thank you for the opportunity to voice our concerns.

Sally Tipton
22 Farm Road

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.

- We do not believe the developer has demonstrated “site control” based on the arguments shared with your board by Atty Arthur Fenno and Atty Dennis Murphy regarding an adjacent parcel of land and recorded deed restriction.
- Sherborn residents 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.
- Recent development on Green Lane in Sherborn resulted in the fouling of my own well (downhill on Maple Street), heretofore potable and not problematic, and making our way back to safe, potable water was arduous and very, very expensive.
- More recent development 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.
- 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 32-home development exceeds the minimum statutory requirements for a PWS.

- 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 “**MassDEP does not regulate private wells. Your local board of health or health department regulates them**”.
- 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 these concerns. I hope you will take them very seriously.

Sincerely,

Ardys Flavelle
32 Maple Street

Sherborn, MA 01770\

she/her/hers

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