

**TOWN OF SHERBORN
ZONING BOARD OF APPEALS**

DECISION ON APPLICATIONS FOR COMPREHENSIVE PERMIT
G.L. c. 40B, §§ 20-23

Applicant: Fenix Partners Farm Road Development, LLC ("Applicant")

Development Name: Farm Road Homes

Application For: Comprehensive Permit under G.L. Chapter 40B, §§ 20-23

Property Address: 55-65 Farm Road, Sherborn, MA

Assessor's Map: Fourteen (14.0) acres, being identified as Map 11, Parcels 60 and 60A ("Site") with frontage along Farm Road.

Board of Appeals: Chair: Richard S. Novak
Members: Jonathan Fitch, Zachary McBride, Todd Labbe
(Associate Member)
Voting: Richard S. Novak, Jonathan Fitch, Zachary McBride

Decision Date: June 17, 2024

For the reasons stated below, the Sherborn Zoning Board of Appeals denies the application of Fenix Partners Farm Road Development, LLC pursuant to the Massachusetts Comprehensive Permit Law, G.L. c. 40B, §§ 20-23 (hereinafter, "Chapter 40B" or the "Act"), the regulations promulgated by the Department of Housing and Community Development ("DHCD") at 760 CMR 56.00, et seq. (the "40B Regulations"), the guidance set forth in the DHCD's Comprehensive Permit Guidelines, as amended (the "40B Guidelines"), the Town of Sherborn Zoning Bylaw (the "Zoning Bylaw"), the Rules and Regulations of the Sherborn Zoning Board of Appeals (the "Board" or "ZBA"), and the rules and Regulations of the Sherborn Board of Health ("BOH").

I. FINDINGS OF FACT

A. Summary.

The proposed Chapter 40B project at 55-65 Farm Road, Sherborn, MA submitted by Robert W. Murchison, as Manager of Fenix Partners Farm Road Development, LLC ("the Project"), consists of 32 units of homeownership condominiums, including 14 two-bedroom 2.5 bath duplex units, 6 two-bedroom 1.5 bathroom cottages, 6 three-bedroom 2.5 bathroom front loaded

homes, and 6 three-bedroom 2.5 bathroom rear loaded homes. Eight units are planned to be income restricted to 80% of Area Median Income for the Boston-Cambridge-Quincy HUD market area.

Because we conclude that the Project, as designed, has fatal design errors with respect to nitrate loading and safe drinking water which cannot be Conditioned Consistent with Local Needs, we disapprove the Project on the merits.

B. Site Control under MGL c. 40B and the Title Restriction of Record.

The Applicant controls the site through its purchase of the property in 2021 by two deeds recorded in the Middlesex South Registry of Deeds at Book 76660, Page 253, and Book 78824, Page 317. However, the property is encumbered by a deed restriction of record, initially created by instrument dated April 28, 1979, recorded with said Deeds at Book 13688, Page 650, and held by a Governmental Body for several decades. It is a finding of the Board that site control is accordingly lacking at this time and the Board requires that such title restriction be permanently resolved of record by quiet title action or equivalent dispositive judicial action (not subject to appeal) before the Project may move forward and any Building permit be issued.

C. Key Background and Project History.

The factual background of the Town is indispensable to understanding the sewage disposal nitrate loading risks and drinking water concerns of the Board related to the Project's design. Accordingly, we summarize those background matters here.

1. Sherborn's Water Supply History.

Settled only a few decades after the Plymouth landings, the history of the Town of Sherborn goes back to the earliest days of the Commonwealth. Poor soils, thin bedrock coverage, many surface wetlands, and numerous ledge outcroppings throughout the Town significantly constrained agricultural endeavors over the next 300-odd years, keeping Sherborn rural and sparsely populated prior to World War II.

In the early 1920's, a portion of the Town wished to convert to public water and sewer, and, after fierce debate, did so by leaving the municipality and becoming part of neighboring Framingham. See Shaughnessey, Anne Carr, The History of Sherborn, pp. 59-61 (1974). The balance of the Town stayed on private wells and septic facilities, as remains the case 100 years later.

As Sherborn transitioned away from agriculture toward more of a suburban residential community in the decades after World War II, the same absence of public water and sewer facilities significantly limited small lot residential development. See Wilson v. Town of Sherborn, 3 Mass. App. 237 (1975) (two-acre zoning bylaw upheld), and the same geologic constraints have long thwarted attempts to develop a commercial tax base.

2. Sherborn's Affordable Housing History.

Because affordable housing projects are designed most frequently in dense lot size and/or multifamily configurations, the lack of municipal water and sewer systems has inherently been in tension with the successful development of such housing in Sherborn. The Town has nevertheless made notable positive efforts on this front.

In 1986, the Town adopted a novel “additional affordable unit” option for owners of single-family residences. In the 1990s, the Town followed up by self-funding and constructing Sherborn’s first affordable housing available for all ages – the Leland Farms project, a leasehold condominium with 17 affordable and 10 market-rate units. In the early 2000s, a 48-unit Chapter 40B development on Whitney Street was proposed, initially turned down by the ZBA, and then approved by the Massachusetts Housing Appeals Committee. Formerly known as Rising Tide, and now as Whitney Farms, this project remains incomplete almost twenty years after approval.

Since 2015, however, a number of Sherborn affordable projects have fared better. Thirty-two units for the Fields at Sherborn project ultimately obtained conditional 40B approval, and construction and sell-out of the project proceeded quickly.

A 120-unit 40B project called Coolidge Crossing (proposed to connect to Framingham sewer and Natick water) was approved in 2021. The related intermunicipal agreements that will be required to provide for the water and sewer remain unresolved, however, and accordingly the Coolidge Crossing project is still pending.

3. Sherborn’s Continued Affordable Housing Progress.

The Town has continued to work on achieving its affordable housing goals.

During 2017, the Town generated a Housing Production Plan and obtained DHCD approval of the same, and Town Meeting approved a rezoning to enable a 67-unit age-restricted affordable project (“Meadowbrook Commons”) near the Framingham/Natick border.

See: https://www.sherbornma.org/sites/g/files/vyhlif1201/f/uploads/planning_board_summary_of_article_1.pdf.

Meadowbrook Commons, if built, will significantly add to Sherborn’s SHI inventory. Like Coolidge Crossing, the project would use public water and sewer connections from abutting towns, and is not in the traffic-challenged downtown Sherborn location. Like Coolidge Crossing, moreover, Meadowbrook Commons is dependent on intermunicipal water and sewer agreements, and the project has not been permitted, nor has construction started.

In 2019 the Town also endorsed its 2019 Master Plan addressing housing goals and needs, and created an Affordable Housing Trust.

See: https://www.sherbornma.org/sites/g/files/vyhlif1201/f/uploads/sherborn_master_plan_04-12-2019.pdf

Also during 2019, the 12-unit Chapter 40B project at 59 North Main Street was conditionally approved, despite significant concerns about impact on drinking water supply availability. That

project is now completed and operating, although some of the feared adverse water supply impacts appear to have come to pass.

In July 2023, when the Applicant filed the Chapter 40B application for the Project, the Sherborn SHI percentage remained below the 10% Chapter 40B “safe harbor” threshold. However, substantial progress has been made by the Town toward said goal.

4. The Project Eligibility Letter.

On November 22, 2023, MassHousing issued a Project Eligibility Letter (“PEL”) for the Project.

Notably, the PEL concerning the Project expressly addressed concerns raised by the Town in its comment letter, stating, in part, as follows:

[T]he following issues should be addressed in the application to the ZBA, and the Applicant should be prepared to explore them more fully during the public hearing process:

- *The Applicant should be prepared to discuss the impact of the Project on water resources and private wells in the area and respond to reasonable requests for mitigation.*
- *The Applicant should be prepared to discuss certain deed restrictions that may apply to the Site, specifically any progress on whether the Applicant is subject to the restriction.*

II. PROCEDURAL HISTORY

1. On July 6, 2023, seeking approval for a Comprehensive Permit pursuant to Chapter 40B (“Comprehensive Permit Application”), the Applicant filed an application to construct thirty-two (32) ownership units (twenty (20) two-bedroom and twelve (12) three-bedroom units), including eight (8) affordable units, on land located at 55-65 Farm Road in Sherborn. The proposed Project would be subsidized by the New England Fund Program of the Federal Home Loan Bank of Boston.

2. The Project Site is comprised of 14.0 acres of land, described by the Applicant as follows:

“Farm Road Homes” will be located on fourteen acres of land at 55-65 Farm Road in Sherborn, MA shown on an ANR Plan of Land dated February 24, 2022, and prepared by Samiotes Consulting Inc.

3. As acknowledged in the Applicants’ application materials, the Site proposed by the Applicant could support only six (6) housing units¹ by right under G.L. c. 40A, due to local zoning lot size and frontage minimums; the applicable minimum lot size under zoning for the Project Site is one

¹ Said total of lots assumes that the Applicant could resolve the Deed Restriction referenced herein, which specifically prohibits the subdivision of the fourteen-acre Site.

(1) acre. By developing the Property under Chapter 40B, the Applicants propose to increase this density by more than five hundred percent (500%).

8. In accordance with the Comprehensive Permit Rules of the Sherborn Zoning Board of Appeals (adopted August 28, 2001, amended September 14, 2016) the Zoning Board of Appeals duly advertised notice of the initial public hearing to be held on August 1, 2023.

9. The Board's public hearing on the Application was duly opened on August 1, 2023 and continued for numerous additional hearing dates through May 21, 2024. The Board received extensive input from the Applicants, the Applicants' team of advisors, counsel and engineers, as well as from numerous abutters, local residents, Town Boards and Committees, and the Town's peer reviewer. During the course of the hearings, the Board received and reviewed over 150 written submissions, listed herein as Exhibit A.

10. A site walk of the Project Site was conducted.

11. The Board utilized the peer review services of Tetra Tech to review the engineering and impacts of the Project. It provided an initial review letter dated October 27, 2023 further updated through May 20, 2024. (Exhibit A, item 3)

12. The Sherborn Board of Health ("BOH") issued multiple comments during the hearing process, including a memorandum to the Board on February 26, 2024, incorporating its initial letter of deficiencies. The BOH identified a number of concerns regarding shortcomings and non-compliance of the Applicant's proposed water supply and septic systems and provided recommendations. The BOH also provided the Board with a May 21, 2024 memorandum that outlined waivers from local health regulations that Applicant's plans would require, and its recommendations, largely in opposition to granting such waivers.

13. The public hearing was closed on May 21, 2024, within the time proscribed by Chapter 40B (as extended by the Applicant), and on June 17, 2024 the Board voted unanimously to deny the Application for Comprehensive Permit.

III. GOVERNING LAW

The standards to be applied by boards of appeal in deciding whether to issue comprehensive permits are same as those to be applied by housing appeals committee in reviewing board's decision, namely, whether grant of permit is reasonable and consistent with local needs and whether any conditions imposed on permit are uneconomic. Board of Appeals v. Housing Appeals Committee in Dept. of Community Affairs, 363 Mass. 339 (1973).

Even where "a municipality has failed to meet its statutory minimum, the HAC may still uphold denial of the permit as 'reasonable and consistent with local needs' if the community's need for low or moderate income housing is outweighed by valid planning objections to the proposal based on considerations such as health, site, design, and the need to preserve open space."
Hingham v. Department of Hous. & Community Dev., 451 Mass. 501, 504 n.6 (2008), quoting from Zoning Bd. of Appeals of Greenfield v. Housing Appeals Comm., 15 Mass. App. Ct. 553,

557 (1983); G.L. c.40B, § 20. See also, Reynolds v. Zoning Board of Appeals of Stow, 88 Mass. App. Ct. 339 (2015) (Superior Court erred in affirming Comprehensive Permit where evidence in the record established likelihood that development would cause excessive nitrogen levels at the wells of abutter and neighbors).

IV. FINDINGS

The Board finds as follows:

1. The Town's progress in developing low or moderate income housing. With the Board's June 21, 2021 approval of a Comprehensive Permit for the 120-unit Coolidge Crossing project and the other steps noted above, the Town of Sherborn is nearing the 10% affordable threshold under Chapter 40B. Accordingly, the Board finds that the Town has made significant and substantial progress toward in the development of affordable housing.
2. Site Control. Based on the evidence and legal opinions of abutters' counsel presented to the Board, the property appears subject to a deed restriction against the land being divided into lots or parcels and against conveyance of less than the whole parcel. The applicant and his counsel disagree and have voiced the opinion that the restriction in question has lapsed or become otherwise unenforceable. The Board finds that this unresolved issue renders title unmarketable and, short of a judgment resolving the matter by a court of competent jurisdiction, precludes development of the Project.
3. Drinking water supply. The threshold for providing a DEP public water supply is twenty-five (25) persons. The Project is designed for one hundred fifty-two (152) persons. The Applicant nevertheless proposes a series of seven (7) independent private water supplies, each supplying water for only a portion (4-6 units) of the Project. The Board noted that a similar size 40B project in Town was designed with a PWS. The Board received extensive testimony on this issue, including from residents of another multifamily project where a "separate private" well system was used for multifamily, and yielded unsatisfactory results. The applicant offered to buttress the private water supply system with testing similar to a PWS. The Board received information from the Board of Health noting that mere PWS testing would not provide the safety and public health protections of cross connection and system redundancy that a PWS would provide. The Board finds that the proposed private well system poses a material risk to public health and safety.
4. Groundwater /Septic Design. The Board received extensive and sharply conflicting testimony and supporting professional's views as to whether or not the post-development surface water and ground water flows resulting from the Project would be adequately controlled to protect the sensitive receptors (primarily drinking water wells) of the neighbors and of the Project based on this Site geology and the Project design. The Board finds that the concerns articulated by many but aptly summarized by Scott Horsley (see Exhibit A, item 44) to be persuasive here. The Board finds the risks to public health and safety to be material and well demonstrated.

5. Other Site Design Issues. The Board received extensive input from the Applicant team and others on issues regarding traffic, site design details, fire equipment access, school bus parking off road and within the site and related issues. If the project were otherwise eligible for approval the Board would support and adopt all of the recommended conditions proposed by the Peer Reviewer on these points.

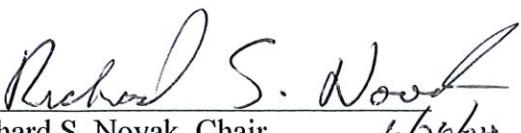
V. DECISION

In its review of this Application, the Board identified concerns relative to health, local water supply and wastewater disposal. The Board was provided with persuasive evidence showing that the Project as designed could not safely manage the wastewater generated by the Project and could not adequately provide the Project's residents with safe drinking water supplies or protect the drinking water supplies of surrounding properties

In consideration of all of the foregoing, including the plans, documents and testimony given during the public hearing, the Board finds that the substantial local concerns related to this Project outweigh the Town's need for affordable housing, and hereby denies the Applicants' application for comprehensive permits pursuant to Chapter 40B, §§ 20-23, for the Project described above.

RECORD OF VOTE

The Board of Appeals voted unanimously (3 -0) at its public meeting on June 17, 2024, to deny the Applicants' applications for Comprehensive Permit for the foregoing reasons, and the Chair of the Board was directed to file this Decision with the Town Clerk, as attested by the signature below.


Richard S. Novak, Chair 6/16/24

Filed with the Town Clerk on June 27, 2024.


Jacklyn Morris
Town Clerk

Notice: Appeals, if any, by any party other than the Applicant, shall be made pursuant to Massachusetts General Laws, Chapter 40A, § 17, and shall be filed within twenty (20) days after the filing of this notice in the Office of the Town Clerk, Town Hall, Sherborn, Massachusetts. Any appeal by the Applicant shall be filed with the Housing Appeals Committee pursuant to G. L. c. 40B, § 23, within twenty (20) days after the filing of this notice in the Office of the Town Clerk.

EXHIBIT A

Farm Road Homes

ZBA Hearing Materials

1. Board of Health Comments - Farm Road Homes 40B (May 21, 2024)
2. Document from Brian Moore - Human and Environmental Receptors to Farm Road Homes (May 21, 2024)
3. Tetra Tech Updated Review Letter (May 20, 2024)
4. Groundwater Contours Plan dated 4-17-24 (May 8, 2024)
5. Wetlands Resource & Soil Testing Location Plan (May 8, 2024)
6. CLAWE Memo - working meeting with BOH, April 29 2024 meeting (May 8, 2024)
7. Standard Conditions for Secondary Treatment Units Certified for General Use Last Revised: March 20, 2015 (April 8, 2024)
8. DEP Modified Provisional Use Approval/Renewal (May 8, 2024)
9. Board of Health Memo - Septic System comments (May 7, 2024)
10. Sherborn Farm Road 40B Presentation - Scott Horsley - March 21, 2024 (added April 25, 2024)
11. Letter from Dennis A. Murphy - abutters Attorney - April 23, 2024
12. Conservation Commission Response to Proposed Conditions (April 22, 2024)
13. Updated CLAWE Response to Farm Rd Homes updated April 17, 2024 (April 22, 2024)
14. CLAWE - Farm Road Comprehensive Plan, pages 9-22, updated April 17, 2024 (April 22, 2024)
15. CLAWE - Farm Road Comprehensive Plan pages 1-8, updated April 17th (April 22, 2024)
16. Emails from Bob Murchison (April 1, 2024)
17. Farm Road Local Concerns, March 19, 2024 (April 2, 2024)
18. Email from Bob Murchison - Soil Classification Determination at Farm Road Homes - Title V Application (March 22, 2924)
19. Board of Health Septic System Comments & Recommendations (March 20, 2024)
20. MassDEP Email to BOH - SeptiTech STAAR 13-5 Pending Approval (posted March 20, 2024)
21. Conservation Commission Proposed Conditions (March 20, 2024)
22. Letter from Arthur Fenno - March 20, 2024
23. Email with New Concept Plan - Farm Road Home with Public Water Supply (March 19, 2024)
24. Tetra Tech Peer Review Comments (March 15, 2024)
25. CLAWE Response to BoH & ZBA - Comments Compendium (March 8, 2024)
26. CLAWE Response to BoH & ZBA - Prelim Comments regarding septic effluent impact analyses (March 8, 2024)
27. CLAWE Response to BOH Deficiencies List - (updated March 7, 2024)
28. Resident Letter (Beardsley) Calculation Transparency - Farm Rd (March 11, 2024)
29. CLAWE Response to BOH February 16, 2024 Letter - (March 1, 2024)
30. CLAWE Response to Tom Trainor Comments of February 25, 2024 (March 6, 2024)
31. Scott Horsley Resume (March 4, 2024)

32. Email from Margo Powicki (posted February 29, 2024)
33. BoH to ZBA - Farm Road Homes 40B - Comments Compendium 2-26-2024
34. From CLAWE: MassDEP Modified SeptiTech Provisional Approval 22-WP75-0001-EN (2) (February 26, 2024)
35. From CLAWE - MassDEP Certification for General Use Modification-SeptiTech Signed (February 26, 2024)
36. From CLAWE - MassDEP Standard Conditions for Secondary Treatment Units Certified for General Use (February 26, 2024)
37. Comments from Brian Moore - Final Farm Road Homes Plans (February 22, 2024)
38. Comments from Tom Trainor - Regarding Nitrogen Loading Study (February 26, 2024)
39. Farm Road Homes Comp Permit plan change tracking details 2-20-2024 (February 23, 2024)
40. Farm Road Homes Stormwater Management Report v2 2-14-2024 (February 23, 2024)
41. Farm-Road-Homes-response-to-Tetra-Tech's-October-2023-letter-w-supporting-documents-February-23-2024
42. Farm Road Homes Comprehensive Permit Site Plan Pages 9-22 (Updated 2-14-2024)
43. Farm Road Homes Comprehensive Permit Site Plan page 1-8 (Updated 2-14-2024)
44. Scott Horsley Comments on Farm Road Homes (February 22, 2024)
45. 3b Proposed HECHMS Output Report - 100 year (posted February 22, 2024)
46. 3b Proposed HECHMS Output Report - 50 year (posted February 22, 2024)
47. 3b Proposed HECHMS Output Report - 25 year (posted February 22, 2024)
48. 3b Proposed HECHMS Output Report - 10 year (posted February 22, 2024)
49. 3b Proposed HECHMS Output Report - 2 year (posted February 22, 2024)
50. 3a Existing HECHMS Output Report - 100 year (posted February 22, 2024)
51. 3a Existing HECHMS Output Report - 50 year (posted February 22, 2024)
52. 3a Existing HECHMS Output Report - 25 year (posted February 22, 2024)
53. 3a Existing HECHMS Output Report - 10 year (posted February 22, 2024)
54. 3a Existing HECHMS Output Report 2 year (posted February 22, 2024)
55. BOH Response to February 2 2024 letter addressing Deficiencies for Proposed Septic System, Overall Site & Plan Index (posted February 20, 2024)
56. BoH to ZBA - Preliminary comments regarding septic effluent impact analyses (February 15, 2024)
57. Email from Bob Murchison - Mounding Analysis (February 6, 2024)
58. Comments from Andrea Stiller - Mounding Analysis (February 6, 2024)
59. Email from Arthur Fenno regarding Traffic Concerns (February 5, 2024)
60. Letter from Michael Lesser - ZBA conditions on wetlands buffer zone and solar (January 16, 2024)
61. CLAWE Response to Tetra Tech 10-27-2023 Peer Review (February 2, 2024)
62. Farm Road Homes Updated Septic Plan v2 (February 2, 2024)
63. CLAWE Letter of Response to BOH Deficiencies List Appendices (February 2, 2024)
64. CLAWE Letter of Response to BOH Deficiencies List (February 2, 2024)
65. 65 Farm Road Citizens Concerns Final Concerns to CC dated February 8, 2023
66. 53-55 Farm Road Citizens Final Concerns to CC dated February 8, 2023
67. 53-55-65 Farm Road Citizens Concerns to BOH dated February 8, 2023
68. Response from CLAWE - BOH letter dated January 18, 2024 (January 31, 2024)
- CLAWE - Field Notes (January 26, 2024)

- o CLAWE - Soil Texture Triangle (January 26, 2024)
69. BOH Agent Scanned Field Notes (January 26, 2024)
70. Farm Road Homes 40B - Health Agent Deficiency Letter -January 18, 2024 (January 31, 2024)
71. Drone footage - Current status of the pond at 65 Farm Road
72. Updated Traffic Review Letter - Tetra Tech (January 16, 2024)
73. Letter from Arthur Fenno - Deed Restrictions (January 16, 2024)
74. Letter from Brian & Mary Moore - Summary Comments (January 16, 2024)
75. Letter from Arthur Fenno - Public Safety Hazard (January 16, 2024)
76. Comments from Tom Trainor, Resident (January 15, 2024)
77. Letter from Dennis A. Murphy - Abutters Attorney - January 15, 2024
78. Farm Road Homes Response to Tetra Tech Peer Review October 27 2023 Site Items 1-17 (January 13, 2024)
79. Farm Road Homes Response to Tetra Tech Peer Review October 27 2023 Water Supply Items 51-56 (January 13, 2024)
80. Farm Rd Homes-Civil Engineer Peer Review (October 27, 2023)
81. SFRD Farm Road Letter, (January 12, 2024)
82. 2016 MassDEP Guidelines for Title 5 Aggregation of Flows and Nitrogen Loading 310 CMR 15 216 (January 12, 2024)
83. New GPC comments to the ZBA - Farm Road Homes with Appendix I - 7 slides
84. Response from Developer - Solar Arrays at Farm Road Homes (January 10, 2024)
85. Letter from Marian Neutra - Ground mounted solar installation plan (January 9, 2024)
86. Presentation to the ZBA on PWS Issues (December 15, 2023)
87. Comments to the ZBA - Farm Road Homes Title V Plans (December 15, 2023)
88. Comments from Michael Lesser with regards to Coal tar sealcoats (December 14, 2023)
89. Conservation Regulation/Condition regarding Fill Quality (December 14, 2023)
90. Letter from Arthur Fenno - regarding Safe & Potable Water Supply (December 13, 2023)
91. Farm Road Homes Response to Revised Engineering Peer Review - Traffic (December 13, 2023)
92. Farm Road Homes Response to Peer Review Comments on Water Supply (December 12, 2023)
93. Farm Road Homes Title V Septic Application Email (December 12, 2023)
94. Hydrogeologic Evaluations Report - 65 Farm Road (December 12, 2023)
95. CLAWE - Septic Plan Farm Road Homes (December 12, 2023)
96. Disposal Works Construction Application (December 12, 2023)
97. Concerns from Resident - Farm Road Homes Development (December 11, 2023)
98. Concerns about Fenix Partners Farm Road Homes Development (December 11, 2023)
99. Letters from Residents & Abutters (December 11, 2023)
100. Developer Information on Private Wells at Farm Road (December 11, 2023)
101. Letter from Brian & Mary Moore - (December 6, 2023)
102. Letter From Sara Wragge regarding Public Water Supply (December 1, 2023)
103. Tetra Tech Revised Engineer Review - Traffic (November 7, 2023)
104. From Attorney Murphy - Reynolds vs Stowe - App. Ct. 2015 (November 7, 2023)
105. Letter from Abutter's Attorney Murphy - Nitrogen Loading Analysis (November 7, 2023)
106. Exhibit Showing Downgradient Private Water Well Receptors to Farm Road Homes (November 6, 2023)

107. Scott Horsley, Water Resource Consultant - Letter regarding Nitrogen loading (November 6, 2023)
108. Solar Options & Evaluation Comments from Abutters (November 1, 2023)
109. Comments from Energy & Sustainability Committee (November 1, 2023)
110. Conservation Commission Comments to ZBA (October 31, 2023)
111. Revised Stormwater Management Plan with Abutters Comments (October 24, 2023)
112. Vanasse & Associates Response to Peer Reviewer Comments (October 18, 2023)
113. Letter from Sara Wragge regarding Water Supply (October 17, 2023)
114. Information from Developer relating to DEP (October 10, 2023)
115. Draft Language over Well Ownership & Control (October 6, 2023)
116. Farm Road Flooding Exhibits - Brian Moore to Conservation Commission (October 6, 2023)
117. CLAWE Flood Impact Analysis & Stormwater Management Report (October 4, 2023)
118. Letter from Brian & Mary Moore - Restriction & Stormwater Management Plan (October 3, 2023)
119. Letter from Arthur Fenno - Traffic Impact (October 3, 2023)
120. Full Transportation Impact Assessment - December 2022 (September 30, 2023)
121. CLAW Stormwater Management Plan (September 29, 2023)
122. Updated Comp Permit Site Plan Including Stormwater Management & Other Additional Construction Plans (September 29, 2023)
123. Engineering Peer Review - Traffic (September 28, 2023)
124. Abutter's Concerns - Proposed Water Supply Plan (September 28, 2023)
125. Updated Groundwater Protection Committee Comments (September 18, 2023)
126. Letter from Abutter regarding Deed Restrictions (September 14, 2023)
127. Letter from Town Resident regarding Water Distribution & Monitoring (September 11, 2023)
128. Water Supply Presentation (September 6, 2023)
129. Traffic Impact Assessment Summary by Vanasse & Associates (September 6, 2023)
130. US DOT Crossing Inventory (September 6, 2023)
131. Traffic Safety Concerns (September 6, 2023)
132. Information from Abutters - Attorney Letters, Deed Information & Property Plans (September 5, 2023)
133. Response to Restriction Claim (Site Control), Paul Haverty, Attorney (August 30, 2023)
134. Determination of Applicability from MassDEP - PWS (August 14, 2023)
135. Presentation by LDS Consulting Group (August 1, 2023)
136. Draft Waiver List (July 2023)
137. Fire Truck Turning Analysis (July 2023)
138. Transportation Impact - Vanasse & Associates, December 2022 (July 2023)
139. Landscape Plan (July 18, 2023)
140. Conceptual Drawing of Back Green (July 2023)
141. Conceptual Drawing of Development (July 2023)
142. Architectural Design Plans (July 2023)
143. Site Plans - Existing & Proposed (July 2023)
144. 55 and 65 Farm Road Ariel Photo (PDF)
145. 55 Farm Road - Conservation NOI and Order of Conditions (PDF)
146. 55 Farm Road Deed (PDF)

147. 65 Farm Road - Conservation Administrative Approval - Soil Testing (PDF)
148. 65 Farm Road - Conservation NOI and Order of Conditions (PDF)
149. 65 Farm Road Deed (PDF)
150. ANR Plan of Land (February 24, 2022) (PDF)
151. By Right - 6 Building Lot Plan (February 2022) (PDF)
152. Comment Letter to Mass Housing dated July 18, 2022 (PDF)
 - Letters-Comments from Sherborn Boards and Committees and Abutters to Project (PDF)
153. Comprehensive Permit Site Approval Application (PDF)
154. Developers Response to Comments Made to Mass Housing (August 2, 2022) (PDF)
155. Dwelling Units (PDF)
156. Existing Conditions (PDF)
157. Fenix Partner Farm Road Development - Certificate of Organization (PDF)
158. Fidelity Bank Letter to Farm Road 21 C (PDF)
159. Final 40 B Concept Plan (April 26, 2022) (PDF)
160. Letter From Mass Housing dated May 17, 2022 (PDF)
161. Memo from Petrini and Associates - Deed Restriction (January 11,2023) (PDF)
162. Pictures of Site (PDF)
163. Project Description (PDF)
164. Project Eligibility - Site Approval Letter (November 2, 2022) (PDF)
165. Tabular Zoning Analysis (PDF)
166. Title V Soil Evaluation Report - 55 and 65 Farm Road (PDF)