

Paul Bochicchio
41 Hunting Lane
Sherborn, Massachusetts 01770

May 24, 2021

BY EMAIL

Town of Sherborn
Zoning Board of Appeals
19 Washington Street
Sherborn, MA 01770
Attention: Mr. Richard Novak, Chair

Re: 40B Application Submitted for 31 Hunting Lane

Gentlemen:

We refer to Lynne D. Sweet's memorandum dated May 20 to you about our meeting on May 19.

First, a couple of minor corrections to Ms. Sweet's facts in her memorandum. The meeting occurred on May 19 (not May 20) and Carol Mills and Mark Callahan, another abutter, were also present. Therefore, all the abutters to 31 Hunting Lane were present.

Secondly, we note that Mr. Lybarsky did not attend the meeting. Ms. Sweet said that she advised him not to attend.

As to the substance of the meeting, two principal topics -- which we outlined in our May 14th letter -- were discussed: (i) the possible relocation of the housing units away from the abutters and the buffering between the units and the abutters, and (ii) the impact of the proposed project on water resources and private wells in the area – both topics which MassHousing had directed the Applicant to “fully explore” in the public hearing process.

Mr. Malynowski brought to the meeting a large-scale site plan based on the schematic layout we had included with our May 14th letter and indicated very readily that in fact there was room on the parcels to move the homes much further away from the abutters. Although we made it clear that there are far too many homes for the parcel and that they are entirely out of character with the surrounding properties, we were pleased to see these minor concessions.

We also asked whether the wastewater treatment plant could be moved further up the hill on the east side of the current driveway and away from 33 Hunting Lane. Ms. Sweet indicated that this would be acceptable to the applicant. When asked by us, Ms. Sweet also agreed that the number of residences could be reduced.

In addition, we indicated that we would want the circular portion of the driveway moved further away from the abutting houses and would want vegetative screening planted to screen the development from the abutters on both sides of the project. Both proposals were met with conditional approval.

We also asked if the septic pipes could be located much further from its proposed position immediately behind the stone wall which separates the abutting properties from the 31 Hunting Lane property. Ms. Sweet said that she would look into it.

Our discussions of the water and well issues were much less successful. We mentioned that Mr. Lybarsky had told one of the abutters that if he lost the 61B property to the Town he could still build his proposed 41 North Main Street project utilizing a leaching field on or near that property. We then asked Ms. Sweet and Mr. Malynowski if the proposed large mounded Paul Hill leaching field could be moved to that area or elsewhere on the site or to Mr. Lybarsky's other property on Hunting Lane, or, if not, could there be two separate leaching fields, one for each project, which would avoid pumping raw sewage about a half a mile from 41 North Main through the wetlands up to the top of Paul Hill to protect our properties which are downgrade from that hill. We believed that this was a reasonable mitigation request as encouraged by MassHousing. Ms. Sweet said that she would look into those requests.

We further requested consideration of a requirement that in the event of contamination of any of the wells, or the drying up of any wells, of surrounding landowners on Hunting Lane, Unity Lane, or North Main Street that these landowners have the option of accessing the well water on 31 Hunting Lane. Although we strongly feel that it is highly likely that there will not be enough water out of the Hunting Lane wells to service the proposed developments, much less any surrounding landowners, this is a condition that has been imposed in other cases such as ours. Ms. Sweet would not commit to this but said it was an intriguing idea and would look into it.

After our discussion of the above issues, Ms. Sweet asked us if we would drop our opposition to the project if they relocated the houses and the wastewater treatment plant along the lines we had discussed. We said that we would not drop our opposition because of our overriding water and other environmental concerns, as we had not been presented with any concrete proposals to reasonably mitigate those overriding concerns.

We would be happy to answer any questions about any of the above during the May 27 hearing.

Sincerely,



Paul Bochicchio

cc: Jonathan Fitch
Ron Steffek
Town Counsel
Jeanne Guthrie
Gino Carlucci
Craig D. Mills
Mark Callahan
John Halamka

John Garrison