

# PLANNING BOARD



19 WASHINGTON STREET  
SHERBORN, MASSACHUSETTS 01770

January 5, 2021

Richard Novak, Chair  
Zoning Board of Appeals  
Town of Sherborn

Dear Mr. Novak and Members of the ZBA,

The Planning Board has evaluated the Comprehensive Permit applications submitted to the ZBA for the two affordable housing developments under MGL Chapter 40B, located at 41 North Main St. and 31 Hunting Lane. This letter summarizes our analysis of both projects, together and separately. Briefly, the Planning Board is not supportive of either project. Although the developers have made some positive changes, serious unresolved issues remain. We further note that the Select Board has on several occasions indicated that for many of the same reasons it too is unanimously opposed to the projects.

## Overarching concerns relevant to both projects:

1. Site control. As you know, the infrastructure of both projects depends on site control of Hunting Lane properties that are currently protected under Ch. 61B, and the issue of site control is not resolved, particularly in light of the Select Board's vote of October 21, 2020 to commence the exercise of its right to purchase the 61B properties.
2. Sherborn's strategy to reach our affordable housing goal. Enabling sufficient high-density housing required to reach our 10% affordable housing goal is a major challenge for Sherborn, because of the lack of water & sewer infrastructure and the almost-total dependence of the Town on groundwater. In spite of this limitation, the Town has a feasible pathway to reach 10% affordable housing: the proposed 40B Local Initiative Project (LIP) of 120 rental units on Coolidge St. The Coolidge St. project will obtain MWRA water from Framingham and discharge wastewater to the Natick sewer system. Because it will not impact local groundwater resources, the LIP is strongly supported by the Planning Board. It has been judged eligible by Mass Housing, has been submitted to the ZBA, and ZBA hearings have begun. Thus, the Town can reach its affordable housing goal without the N. Main and Hunting Lane projects, and without compromising essential groundwater resources.
3. Groundwater impacts. The well and septic plans shared by both projects was a major concern of several town Boards including the Planning Board in January 2020, and the infrastructure plans have not changed from the previous proposals. Large volumes of water, sufficient to fulfill the needs of over 88 residential units, will be withdrawn from a single well site and wastewater will be discharged at a single leach field. It has been noted by the Board of Health that there is a prevalence of ledge outcroppings and related shallow depth to bedrock in this area. Building on the scale proposed would involve blasting. The Board of

Health further noted that recent blasting in a nearby development appears to have contaminated at least one private well through the release of toxic manganese. The proposed projects put safe drinking water for potentially hundreds of residents at great risk.

### **Specific comments regarding the 41 N. Main project:**

In response to previous Planning Board concerns, the developers have made some improvements:

1. Scale and visual impact. The massive, tall apartment buildings originally placed on the hill near N. Main St. were moved away from N. Main, with better visual screening provided by preservation of the trees and hill along N. Main.
2. Traffic. The access roads directly onto N. Main St. and Hunting Lane were eliminated. The Hunting Lane access road is now for emergency use only. The use of Powderhouse Lane as the main access road has one advantage: it would help integrate the development with the businesses in the Town Center.
3. Pedestrian access to N. Main St. and Town Center. A footpath from the apartment buildings to the N. Main sidewalk has been added, running through green space.
4. Historic preservation. The Paul-Whitney Tavern building will be preserved unchanged, and the large apartment buildings are now placed a bit farther from the historical site. The use of the tavern building as rental apartments will be maintained.

However other Planning Board concerns are not addressed by the revised plan:

1. Scale and visual impact. The apartment buildings are still far out of scale with neighboring structures and are not consistent with the character of Sherborn Town Center. The massing and scale of the proposed buildings would dwarf other nearby structures. The large size is apparently driven by the developer's need to cover the cost of building a wastewater treatment plant.
2. Traffic. The development's sole vehicle entry/exit road via Powderhouse Lane is unworkable because of the difficulty of entering the steady traffic stream on N. Main. The developer's traffic study did not adequately evaluate the Powderhouse Lane/N. Main intersection, which is already a problem at present.

The developer's own Transportation Impact Assessment notes that "Independent of the Project, all movements exiting the Powderhouse Lane at the route 27/Powderhouse Lane intersection are currently operating at or over capacity (LOS [Level of Service] "E" or "F", respectively)". At the same time, it claims that the proposed development "will not have a significant impact (increase) on motorist delay or vehicle queuing over existing or anticipated future conditions". The Planning Board seriously questions this conclusion, and has concerns about safety as well as volume at the impacted intersections. The Planning Board looks forward to the conclusions of the peer reviewer's analysis of the developer's traffic study.

We also note that no traffic study has yet been submitted for the additional residential units proposed at 31 Hunting Lane. Given the already serious congestion through the center of Town, the traffic impacts of both projects need to be considered together.

3. Pedestrian access and safety. There are no planned pedestrian walkways from the apartments directly to town center businesses along the vehicle access route, and no plans to extend such pathways to provide a safe walking route from Hunting Lane through the N. Main property to town center businesses and post office.

### **Specific comments regarding the 31 Hunting Lane project:**

Only minor improvements were made in response to previous Planning Board concerns:

1. The administrative requirement for a “by right” plan. This has been addressed with a conventional subdivision plan that complies with the Sherborn zoning bylaws in effect at the date of project submission.

2. Setback of houses from abutters. Two buildings have been moved a short distance farther back from the nearest Hunting Lane abutters to fulfill setback requirements.

However, the concerns of the Planning Board have not been fully addressed by the revised plan:

1. Site Control. The developer has not demonstrated site control. The "Notice of Withdrawal from Chapter 61" letter from the Developer to the Select Board in 2019 was flawed and invalid, as the Ch. 61 properties were not correctly identified or evaluated. Even in 2020, the developer has still not properly identified the 61B properties. Again, we note the vote of the Select Board referenced above.

2. Setback from abutters. MassHousing’s April 30, 2020 approval specifically stated that one of the issues which must be addressed by the developer with the ZBA is the need for alternative layouts to reduce the impact on abutting single -family homes on Hunting Lane, including possible relocation of some of the proposed duplexes to other areas of the site. Any development of this property should arrange the residences as far from the abutters as possible. In fact, in one of the developer’s earlier non-40B proposals for this site, all of the housing was located on the opposite side of the driveway from the Hunting Lane abutters. This siting of the housing could make the development more attractive and livable for the residents without raising construction cost.

3. Size and character of the development. The residences are proposed to be dropped into a neighborhood of single-family homes on 2 acre lots on one side and Unity Farm, an animal sanctuary housing 250-300 animals, on the other side. Fewer than 100 people live in the houses along the two-mile long Hunting Lane, yet the proposal is to build residences for approximately 80-100 people on approximately 14 acres within the first one quarter mile of Hunting Lane. The number and density of the proposed residences is out of character with the neighborhood.

4. Tree cover and landscape design. There seems to be no plan for preservation of existing trees or planting of trees within the developed area or among the proposed duplexes, for climate control and screening. No consideration has been given to shielding the abutters from the proposed residences through landscaping.

5. Safe pedestrian access and pathways. The plans do not include safe pedestrian walkways within the development, along the owner's Hunting Lane properties, or through the proposed 41 N Main development to Town Center businesses.

6. Water and wastewater infrastructure. See the overarching concerns about wells and wastewater, above.

We appreciate your careful evaluation of these projects on behalf of the Town, and we stand ready to provide the ZBA with further analyses as needed.

Best regards,



Marian Neutra

Chair, Sherborn Planning Board