



## TOWN OF SHERBORN

19 Washington Street  
Sherborn, MA 01770

### Select Board

Jeffrey Waldron, *Chair*  
Eric Johnson, *Vice Chair*  
Steven Tsai, *Clerk*  
Paul DeRensis  
Marian Neutra

Town Administrator  
Jeremy Marsette

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October 19, 2023

MassHousing: Office of Planning & Programs  
Attn.: Mr. Michael Busby  
One Beacon Street  
Boston, MA 02108

RE: Proposed 40B Project  
Brush Hill Homes, Sherborn, MA  
MH ID No. 1199

Dear Mr. Busby:

Thank you for your letter of August 24, 2023, soliciting comments from the Sherborn community regarding the proposed 40B project "Brush Hill Homes" (MH ID 1199). We appreciate the deadline extension that allowed us to collect and integrate comments from municipal boards & committees, and we are pleased to submit the Select Board's summary analysis.

The Appendix includes the original board and committee reports, along with comment letters from abutting property owners. The Developer's site plan for Brush Hill Homes is also provided at the end of this letter for reference.

### I. Overview of Housing Development in Sherborn

Housing development in Sherborn is challenging due to the lack of municipal water or wastewater infrastructure. Almost all the Town's residents are served by private wells for water and private septic systems with leaching fields for waste collection and wastewater dissipation. Thus, siting of leaching fields is critical to maintaining clean groundwater resources, but siting is difficult because most of Sherborn sits on shallow bedrock covered by a thin overburden of soil. For that reason, Sherborn's Board of Health Regulations for septic system design are more stringent than those of MA DEP Title 5. In addition, bedrock blasting and disruption for new construction in town has been associated with contamination of an abutting private well with toxic manganese. Thus, analysis of the impact of new housing of any kind in Sherborn is driven by geologic reality and dominated by public health concerns.

Despite these challenges, Sherborn's recent planning documents and bylaws support the development of affordable and diverse housing. Our 2017 Housing Production Plan (HPP) was recently updated and re-approved in May 2022. Our 2019 Master Plan places great emphasis

on the need for diverse and affordable housing options and recommends strategies and actions in line with the HPP. Sherborn has also revised its zoning bylaws to encourage diversity of housing options. A 2019 zoning bylaw facilitates and encourages accessory apartments as rental units in single-family homes or farms. In 2020, two bylaws were added to facilitate affordable housing. An "inclusionary zoning" bylaw requires all new developments of 2 or more units to include 15% affordable units or contribute to an Affordable Housing Trust. The "Affordable Housing Trust" was created to manage funds generated by the inclusionary bylaw and from other sources, to support affordable housing investments by the town.

Progress has been made toward fulfilling our affordable housing goal of 156 total SHI units. Currently Sherborn has 48 housing units listed on the SHI, (24 rental and 24 ownership) and 8 additional SHI units will be added as current approved 40B projects are completed. In June 2021, the Sherborn Zoning Board of Appeals (ZBA) approved a Comprehensive Permit for "Coolidge Crossing", a 120-unit rental apartment complex (40B Local Initiative Project) that would access MWRA water and sewer from adjacent communities and thus would not compromise groundwater safety. The project is currently on hold pending required applications, approvals and negotiations (MWRA approvals, inter-municipal agreements with adjacent communities, MA legislative approval, etc.) as well as developer commitments, but it remains a high priority for the town which voted to approve establishment of a North Sherborn Water and Sewer District at a Special Town Meeting on October 17, 2023, an important step toward realizing the project.

There are currently six other 40B projects proposed in Sherborn. Two 40B project applications by a single developer, a 60-unit rental apartment complex and a 27-unit ownership project, were denied Comprehensive Permits by the Sherborn Zoning Board in 2021, based on public health concerns including the impacts of large-scale groundwater extraction and wastewater discharge on abutters. They are currently in the appeal process.

The developer of the Brush Hill Homes project has submitted four additional 40B proposals in Sherborn:

- "Farm Road Homes" (MH ID No. 1151), consisting of 32 housing units (single family and duplex, 25% affordable) on 14 acres, has been approved by MassHousing for submission of a Comprehensive Permit application and is currently in public hearings with the Sherborn ZBA.
- "Greenwood Homes" (MH ID No. 1162), consisting of three market rate single family housing units and one affordable single family housing unit, is sited on approximately 3.7 acres of an 18.8 acre parcel and is also currently in public hearings with the Sherborn ZBA.
- "Washington Street Sherborn", a 40-unit rental apartment building, is proposed for the same 18.8-acre parcel as Greenwood Homes. It was submitted to DHCD as a "Workforce Housing" project and would occupy the remaining 15.1 acres adjacent to the 3.7-acre Greenwood Homes project and received Project Eligibility Approval from DHCD on March 2, 2023.
- "Coolidge Street Homes" (MH ID No. 1193), consisting of 12 single family housing units (nine market rate and three affordable) is sited on 5 acres of land adjacent to a 67-unit Elderly and Affordable project being developed together with the 120-unit rental "Coolidge Crossing" Local Initiative Project described above. Coolidge Street Homes was proposed shortly after Brush Hill Homes and is under initial review by the Town.

Brush Hill Homes would add two SHI units to our affordable housing stock but would add six market rate homes, so the net effect of this project on the percentage of affordable housing in Sherborn is small.

## II. Board/Committee comments and Select Board analysis

The Brush Hill Homes project appears to be eligible for consideration under Chapter 40B. Sherborn is currently not in "Safe Harbor"; our Safe Harbor status expired in June of 2022 due to delay in the 120-unit rental project cited above. We assume that the Applicant's organizational and financial structure meets the general eligibility standards of the housing program contained in 760 CMR 56.04. The Applicant has site control having purchased the parcel with a recorded deed dated August 15, 2023.

The siting of the development is a rural, wooded natural environment, in a minimum 2-acre zoning district. Brush Hill Road is a Scenic Road in an area of Sherborn characterized by widely spaced, single-family houses generally set at a distance from the road. Brush Hill Homes are eight single family homes on a 5.1 acre parcel, for an average density of 0.64 acres per unit. As the lot is set back from the public way by a long access drive, the buildings will not be easily seen from the road, preserving the scenic road character.

Brush Hill Homes includes more modest sized homes among both the market rate and affordable units, as both the HPP and Master Plan identified the need for more affordable homeownership options, including small cottage style homes in cluster developments. The site layout as proposed is in keeping with the town's vision for housing development.

Regarding house construction and infrastructure, the project description for Brush Hill Homes indicates an intention to achieve net-zero carbon emissions using electric heat pumps and solar panels onsite which is in keeping with the town's sustainability goals. In general, the Energy and Sustainability Committee (ESC) advocates similar building efficiency standards for all housing regardless of affordability, including tight building envelopes, all-electric power sources, built-in EV charging capability, energy-efficient appliances and rooftop solar panels where appropriate, among other features. In the case of affordable housing, many of the energy-efficient build specifications should lead to lower ongoing operating and life-cycle costs and therefore result in better affordability over time.

There are minimal concerns with the Brush Hill Homes project with respect to wetlands at this time. Although the developer indicates that there are no wetlands on the property, the Conservation Commission indicates the wetland delineation shows a small wetland on one corner of the property. The preliminary site plan does not indicate any work to be performed in this corner of the property, and we do not foresee significant wetlands concerns with the project as proposed. It is noted, however, that the preliminary plans do not indicate well locations, septic system design, or stormwater management plans. The wetlands in the corner of the property should be kept in mind when designing these elements of the project.

Concerns about the Brush Hill Homes project stem primarily from public health and environmental issues due to the town's reliance on private wells and septic systems. The Groundwater Protection Committee (GPC) is concerned that the proposed development exceeds the Title 5 regulations for designed flow (per 310 CMR 15.216) and stressed that the shared septic plan should include both a nitrogen loading study and groundwater mounding study. The GPC also notes that a large area of surficial bedrock is present just east of the proposed site, raising concerns about any required blasting of ledge for construction. Lastly, the GPC raised concerns about the lack of any specificity regarding well locations or stormwater management plans.

The Board of Health (BOH) echoes the GPC concern that the nitrogen loading for the project as proposed may exceed the Title 5 regulations, and further noting that prior studies of multi-household Title 5 septic systems in Sherborn indicate that the density of large system discharges increases the risk of groundwater contamination. The BOH also raised concerns regarding depth to groundwater at the site, which was assessed in 2022 to range from 32 to 36 inches deep. Title 5 requires 4 feet of separation between the bottom of the septic leaching field and high groundwater, and Sherborn's requirement is 5 feet due to proximity of drinking wells and the lack of a municipal water supply. Due to the risk of contamination of the abutters' wells at this site, the BOH requests support from MassHousing in carrying out its public health duties by providing clear directives to the developer and the ZBA for compliance with *local* septic regulations including the requirement of an **Environment Health Impact Report** for larger projects' septic systems to aid in determining possible impact of the project on the abutters' wells. The full BOH comment letter attached in the Appendix provides additional detail.

The Planning Board, although praising the Brush Hill Homes design as "well thought out and attractive" nevertheless raised significant concerns regarding the siting of the project due to poor location and soil concerns, as the site cannot support a single house under current local regulations as noted by the BOH comments.

Several abutting property owners have also raised concerns about the proposed development with respect to the viability of their own private wells. In a letter dated October 6, 2023 the residents at 32 Brush Hill Rd indicated that they have had to re-drill their well quite deep to reach a reliable and high-quality water supply. The abutters have also raised concerns regarding the General Chemical contamination, which is less than a mile from the Brush Hill Homes site, noting that the increased draw on the water supply could cause the contaminated groundwater plume to travel towards the site. In a letter to the Select Board dated September 30, 2023, abutters Andrew and Michelle Lauterback write:

A development pursuant to 40B does not pose an absolute bar to local concerns. In fact, as Chapter 40B, section 23 provides, the comprehensive permit regulations specify that consistency with local needs is the central issue in all cases before the Housing Appeals Committee. 760 CMR 56.07(1)(a). For example, in Reynolds v. Zoning Board of Appeals of Stow, 88 Mass. App. Ct. 339 (Mass. App. Ct. 2015), "When faced with evidence that one or more adjacent private wells will have elevated nitrogen levels (the issue in the Reynolds case) and there is no public water source in the area and no proposal to provide the abutter with clean water, it is unreasonable to conclude that the local need for affordable housing outweighs the health concerns of existing abutters." The proposed development on Brush Hill Road raises many of the same issues regarding threats to drinking water resulting from a development with no alternative sources of water available.

**In summary**, the Sherborn Select Board praises the Brush Hill Homes design of a cluster development with modest sized cottage style homes, while striving to achieve net-zero energy goals. We remain hesitant about the siting of the project, however, primarily with respect to suitability of the soil for a project of this size, and the potential negative impact on the abutters' water supply. In light of the fact that the town has a large Local Initiative Project planned to significantly increase the affordable housing stock, the numerous additional 40B projects proposed which could increase the SHI even further, and that the Brush Hill Homes project would only add two additional affordable housing units, we believe that preserving the viability of

abutters' wells should be weighed heavily in the review of this project, and that a directive to uphold some of Sherborn's local septic regulations would be prudent. We thank you in advance for your consideration of the Town of Sherborn's comments and concerns regarding this proposal.

Sincerely



Jeff Waldron, Chair  
Sherborn Select Board

Incl.

Comment letter from BOH

Comment letter from PB

Comment Letter from ConCom

Comment letter from GPC

Comment Letter from Fire Chief Zach Ward

Abutter letter from Lauterbacks dated Sept 30, 2023

Abutter letter from Natales dated Oct 6, 2023

Abutter letter from Hedy Werner dated Sept 27, 2023

Project Description, Site Layout, and Architectural Plans from Developer



# Board of Health

TOWN HALL • 19 WASHINGTON ST. • SHERBORN, MASSACHUSETTS 01770  
508-651-7852 • FAX 508-651-7868

October 16, 2023

MassHousing, Office of Planning and Programs  
One Beacon Street  
Boston, Massachusetts 02108

## RE: Comments on Proposed 40B Project for Brush Hill Homes, Sherborn

Ms. Miller and Mr. Busby:

The Sherborn Board of Health takes seriously its responsibility to provide input to your decision-making process regarding the suitability and viability of the proposed Brush Hill Homes project in Sherborn. It is not the role of the Board of Health (BoH) to promote or oppose development, but rather to guide each project to be supportive of healthful conditions for future residents of the project and for surrounding residents.

Based on the limited information currently available for the project, BoH concerns include:

- shallow depth to groundwater, which impacts septic system cleansing performance;
- nitrogen loading may not comply with Title 5 standards; and
- prior evaluations of multi-household Title 5 septic systems indicate that the density of large system discharges increases the risk of groundwater contamination.

Should you have questions about the basis for these concerns, please let us know.

## SUMMARY

- In Sherborn, groundwater withdrawal for drinking water and sewage discharge both take place on a project's property. Ordinarily, the BoH applies its regulatory standards consistently across the Town. Reducing septic system regulations to the minimum provisions of Title 5 for 40B projects, creates health inequities. Future residents of the project, along with their neighbors, should be assured the same protections afforded to all residents.
- If MassHousing determines that the Brush Hill Homes application is approvable, the BoH requests support for carrying out its public health responsibilities. Clear directives to the project proponents and project review authorities for compliance with *local* septic and bedrock disruption regulations, would be most beneficial for this project.

## TECHNICAL ASSESSMENT TO-DATE

At present, there is not sufficient information about the intended project to be able to perform a comprehensive technical review. Such a review by the Board of Health typically occurs once the following has been completed:

- site soil and groundwater conditions have been thoroughly evaluated; and
- a plan --including those details plus specifics of home and infrastructure layout-- has been prepared and certified by qualified professionals.

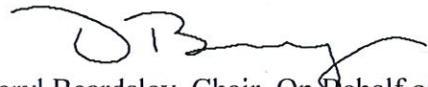
Based on information already in public files and witnessed by the Health Agent, consisting of soil and groundwater assessments performed in 2022 on behalf of the property owner at that time, the depth to groundwater ranged from 32 to 36 inches deep. Because septic systems have a heavy reliance on the ability of soils above groundwater for cleansing the discharged wastewaters, this hydrogeologic condition limits the degree of treatment possible.

- Title 5 requires 4 feet of separation between the bottom of the septic leaching field and maximum high groundwater. Sherborn's requirement is 5 feet because more soil depth enhances the filtering and treatment impact on septic discharges. This is appropriate for Sherborn in light of the proximity of drinking water wells (i.e., Title 5 is a minimum standard suited to minimum risk situations such as municipalities with few septic systems and fully served by a municipal water supply).
- Title 5 allows for mounded systems whereby clean granular sand is specified for use to build up the distance to groundwater. However, sand is a liquid dispersal feature and thus also helps viruses and other pollutants present in the septic effluent to migrate farther. Sand is less effective at treatment than naturally deposited soils, whose soil microbes and physical/chemical complexity dynamically degrade and filter nutrients and pathogens, improving biochemical treatment of wastewaters. Sherborn does not permit mounds for new development, only for replacement systems where other options are not feasible.

Following only Title 5 standards will not be without consequence to septic discharge treatment performance. Maintaining compliance with Sherborn's additional septic design provisions will help to address its local circumstances. As a minimum standard, Title 5 does not have the same focus on septic impacts to drinking water as are needed for Sherborn's multitude of wells.

Another Sherborn requirement to strengthen protection of drinking water resources is an *environmental impact assessment and report for larger projects' septic systems*. Economies of scale associated with the design of a single large septic system serving multiple homes, as well as avoidance of future groundwater quality problems, warrant the modest cost of an environmental impact assessment.

Please do not hesitate to contact us with any questions you may have,



Daryl Beardsley, Chair, On Behalf of the Sherborn Board of Health

## BACKGROUND INFORMATION

### SHERBORN'S INFRASTRUCTURE FOR WATER AND SEWAGE

A key starting point for any housing in Massachusetts is the ability to provide adequate water supply and sanitary features (per 105 CMR 410). Sherborn's "infrastructure" for these functions is quite different from that of most municipalities in the Boston metropolitan area. Each individual property is both the source of water, via a well, and recipient of wastewaters, via a septic system. This means that the septic system associated with each developed piece of property is discharging wastewaters on that property, thus impacting groundwater (i.e., drinking water) quality. In contrast, urban and most suburban areas typically have municipal water supplies and sewage facilities that are separated by significant distances.

This fundamental issue of protecting and ensuring a high quality and sufficient water supply resource in Sherborn is essential to the health of its residents, including the future residents of the proposed project. The BoH governs this resource with a goal of sustainability, especially in light of the ever-increasing challenges facing water supplies.

### WHY THE MORE RIGOROUS LOCAL REGULATIONS ARE NEEDED

Integral to Sherborn's development patterns are the hydrogeologic conditions present at any development site and how those conditions interface with surrounding properties. Unlike BoHs in more urban areas, a major function of Sherborn's BoH is the protection of our shared drinking water resource, primarily through careful management of wastewater discharges into the ground using Title 5 plus Sherborn-specific regulations.

Under 40B, projects may default to State level regulations, such as Title 5 (310 CMR 15) for septic systems. However, *Title 5 is designed as the minimum requirements to apply to municipalities and MassDEP is explicit about the expectation that each municipality will expand upon those regulations to address specifics of local conditions.* On a State level, it would not be practical to have stringent requirements when, for example, there are only a few small septic systems in a town with water supplied from outside of that town. Under those circumstances, there is significantly less risk to drinking water quality. In contrast, Sherborn's circumstances demand greater protective measures for maintaining healthful drinking water quality and quantity. Sherborn's few, more stringent regulations are appropriate and important because existing data suggests that septic systems currently have the greatest impact on groundwater quality.

Additionally, Title 5 was developed to primarily address septic service for single family homes. The size and density of discharge of this project's planned septic system warrants further evaluation, such as that provided by Sherborn's environmental health impact assessment for systems of this nature.

## **EQUITY**

The BoH wants equity for the future residents of this property. Water quality for affordable housing is expected to be commensurate with that for residents elsewhere in the community. To that end, adherence to local septic regulations should be required.

## **SUSTAINABILITY**

As demands for water rise and contamination impacts more and more water resources, Sherborn offers a complementary, sustainable, local approach to the water cycle in the Boston metropolitan area. It does require careful management though, as addressed by extra requirements in Sherborn's septic regulations that build upon the State's minimum requirements of Title 5.

The BoH is not biased about the size of projects. However, the technical reality is that a large discharge of wastewater to the ground, concentrated in one area, may have more significant impacts on drinking water quality. Those impacts are most likely to be relevant for waters drawn from near the discharge, as will be the case for the water supply to the proposed project. Given the complexity of dynamics behind projects other than a single family home and to meet its duty to public health, the Sherborn BoH has a requirement for such projects to perform an environmental health impact assessment and prepare an Environmental Health Impact Report (EHIR) for BoH review.

## **DHCD GUIDELINES FOR 40B PROJECT DESIGN REVIEW**

Guidelines prepared by the Department of Housing and Community Development (DHCD) for the design review process of Chapter 40B projects specify criteria to be used in project evaluation. Using those criteria, the regulations require findings "that the conceptual project design is generally appropriate for the site on which it is located".

Issues of primary importance to public health, which are briefly discussed below, are organized according to a selected subset of design review evaluation criteria. It is likely that we have introduced aspects of these issues that are not confronted by many of the projects that MassHousing reviews since most projects are proposed for areas serviced by municipal water and/or sewer. Unlike much of Massachusetts—and especially in eastern Massachusetts—Sherborn faces an uncommon situation for water resources management.<sup>1</sup> Our septic discharges eventually become our drinking water, unlike municipalities served by isolated, remote, or otherwise protected water supplies and/or with sewer systems. Furthermore, Sherborn does not have any substantial aquifer within its borders and thus the vast majority of water is supplied from more limited water in bedrock fractures.

According to a fact sheet about groundwater, developed by the Massachusetts Department of Environmental Protection's (MassDEP) Northeast Regional Office:

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<sup>1</sup> Other eastern Massachusetts towns without municipal water and sewer may include: Berkley, Berlin, Boxborough, Boxford, Carlisle, Dover (approximately one-third with alternative water supply), Lakeville, and Plympton.

*Groundwater originates with rain or melted snow that soaks into the ground and seeps downward due to gravity. If contaminants have been disposed on the ground or buried, the water may soak through them and carry contamination down into the groundwater.*

Wastewater discharged underground via septic system leaching fields constitutes “buried” contaminants. Even if that wastewater has been pretreated, contaminants still remain and there is reliance on soil filtering action, biodegradation, and other dynamics (including dilution) taking place to render that water drinkable before it reaches a well. The fact sheet goes on to indicate:

*The more developed and urbanized an area is, the greater the chance that the groundwater is contaminated ...*

This refers to limits on the capacity of the environment to handle our wastewaters. Hence, the protection of drinking water is an essential factor for each residential, commercial, and municipal establishment in Sherborn<sup>2</sup>; all have been required to participate in this responsibility. When assessing this project’s “integration with adjoining properties”, it is fair to hold it to an equivalent level of responsibility, commensurate with its greater degree of potential impact, as was applied to those adjoining properties.

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<sup>2</sup> Refer to Sherborn’s Master Plan for information regarding the overarching importance of water within the Town due to its limited availability, its vulnerability, and our reliance on it.

# PLANNING BOARD



19 WASHINGTON STREET  
SHERBORN, MASSACHUSETTS 01770

October 6, 2023

Ms. Katherine Miller  
Mr. Michael Busby  
Mass Housing Fourth Floor  
One Beacon Street  
Boston, MA 02108

Re: 34 Brush Hill Road, Sherborn, MA

Dear Ms. Miller and Mr. Busby,

The Sherborn Planning Board is very aware of the statutory requirements of under Chapter 40B. We also understand and appreciate the difficulty in evaluating projects presented. While we know 40B as is a law that we must comply with, we also understand that we have a regional responsibility to help address the continuing and growing issue of affordable housing.

Many towns, as well as some residents in Sherborn, believe that getting to an SHI of 10% and safe harbor is the holy grail, allowing the ability to stop all future projects that would provide alternatives in housing. The Sherborn Planning Board does not hold that belief. We have been actively promoting projects that will hopefully get us well beyond 10%.

However, due to our dependence on wells and septic systems, managing larger projects is more difficult. Over the past several years we have been negotiating with Framingham to provide municipal water and sewer service to make feasible 2 large projects near our border with them to help us achieve our goal of 10% and beyond.

As Chair of the Planning Board and past Chair of the Board of Health, this is the first time I have ever written a letter in opposition to a proposed 40B project. The design of the Brush Hill Homes project is well thought out and attractive, but the location and soil conditions of the site are both poor. Under our regulations, this property could not support a single house without putting abutters and owners of the property at risk. There is no question that this project would pose a long-term health risk to the abutting properties.

Therefore, I respectfully request that you deny the application for 34 Brush Hill Road. If you have any questions please do not hesitate to contact me.

Sincerely,

Chris Owen  
Chair

## SHERBORN CONSERVATION COMMISSION



### MEMO

**TO:** Sherborn Select Board  
Jeremy Marsette, Town Administrator

**FROM:** Conservation Commission

**DATE:** October 17, 2023

**RE:** Comments on Brush Hill Homes 40B Project for Mass Housing Agency Letter

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The Conservation Commission is providing the following comments on the proposed Brush Hill Homes affordable/40B housing project. Although the developer indicates that there are no wetlands on the property, the wetland delineation shows a Bordering Vegetated Wetland with associated 100-ft. buffer zone extending onto the northeast corner of the property. The preliminary site plan "Sherborn Cottage Court Preliminary Site Scheme" by Union Studio dated August 18, 2023, does not indicate any work to be performed in this corner of the property, therefore we do not foresee significant wetlands concerns with the project as proposed.

It is noted, however, that the preliminary plans do not indicate grading, well locations, septic system design or stormwater management plans. Since the project site currently has unaltered natural wetlands buffer zone and is adjacent to unaltered natural wetland resources, it would be very beneficial to maintain such unaltered resources with our primary concern being that the buffer zone remains unaltered.

To: Sherborn Select Board, SB

Date: October 16, 2023

From: Sherborn Groundwater Protection Committee, GPC (T Trainor, Chair)

Subject: GPC Comments for SB (for MassHousing letter) on the proposed 40B Brush Hill Homes.

The GPC held a public meeting on Wed October 11<sup>th</sup> at which time we held a discussion regarding any groundwater protection concerns for the new proposed 8 unit (28-bedroom) "Brush Hill Homes" 40B project. Also, two members of the GPC attended the site visit on September 7<sup>th</sup>.

This set of brief comments is provided now to the SB as requested, for the SB meeting scheduled for the evening of October 19<sup>th</sup>.

The following initial concerns were identified and approved by the GPC at the Oct 11<sup>th</sup> meeting for your consideration in preparing your letter to MassHousing on this project.

1. No proposed well locations provided. Concerns with the yet to be proposed wells' locations and distance to abutters wells, and all wells (on-site and off-site) future performance (water quantity and quality).
2. Per current state Title V regulations for any septic system with design flows of 2000 gpd or greater (Ref: MassDEP GUIDELINES FOR TITLE 5 AGGREGATION OF FLOWS AND NITROGEN LOADING, 310 CMR 15.216) please ensure for the proposed shared septic system plans include both a nitrogen loading study and groundwater mounding study. With 28 bedrooms the combined septic design flow is expected to be 3,080 gpd for this development.
3. A large area of surficial bedrock is apparent on MassGIS/USGS maps just east of the proposed site, raising concerns about any required blasting of encountered bedrock ledge for installation of the buildings and utilities (foundations, septic system components, wells, stormwater infrastructure, etc).
4. Concerns on the lack of any specificity in the proposal as to site stormwater management plans.



## TOWN OF SHERBORN, MASSACHUSETTS FIRE & RESCUE DEPARTMENT

22 NORTH MAIN STREET, SHERBORN, MA 01770

Zachary J. Ward  
*Fire Chief*



Sherborn Select Board  
19 Washington Street  
Sherborn, MA 01770

October 17<sup>th</sup>, 2023

Chairperson Jeff Waldron,

This letter is to portray the comments of the Sherborn Fire & Rescue Department regarding the proposed development on Brush Hill Road. Both myself and Lieutenant/Inspector Kristin Buckler attended a site visit on September 7<sup>th</sup> and I have spoken with the developer about this project several times. These comments and concerns are based solely with our mission in mind, which is to protect life and property.

### **Site Access:**

The site access from Brush Hill Road into the development is our most significant concern. We have had several conversations with the developer about this. It is our understanding that the developer will have to engineer an access point into the development that must accommodate all Sherborn Fire & Rescue apparatus as well as any apparatus that our mutual aid partners may respond with.

### **Water Supply:**

We have spoken with the developer about water supply. A question was also raised about the water supply at the site visit. The developer has agreed to install a firefighting water cistern, which is an underground tank with a supply of water for firefighting operations. We have not discussed the location of this cistern in detail yet, and we have not discussed how the department would access this cistern, but there is a commitment from the developer to have those conversations, and we believe our needs will be satisfied at the present time.

### **Sprinkler Systems:**

The development includes several single-family homes. Per the fire code, none of these must have a



[Sherbornma.org/fire-rescue-department](http://Sherbornma.org/fire-rescue-department)

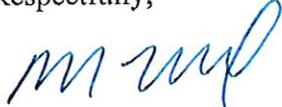
sprinkler system. While not required, we would hope to see sprinkler systems in all units. The National Fire Protection Association (NFPA) U.S. Experience with Sprinklers Report provides the following statistics:

- The civilian death rate was 81 percent lower in homes with fire sprinklers than in homes without them.
- The average firefighter injury rate was nearly 80 percent lower when fire sprinklers were present during fires.
- When sprinklers were present, fires were kept to the room of origin 97 percent of the time.
- The home fire death rate was 90 percent lower when fire sprinklers and hardwired smoke alarms were present.

Therefore, we recommend that all units should have these potentially lifesaving devices, although they are not required.

As always, please reach out to me if you would like to discuss this further or have any comments or concerns.

Respectfully,



Zachary J. Ward  
Fire Chief

CC: Lieutenant Buckler

Dear Members of the Sherborn Select Board:

We are writing to express our objections and opposition to the proposed Chapter 40B development at 34 Brush Hill Road, also sometimes referred to as 0 Brush Hill Road. We live at 36 Brush Hill Road and the proposed development abuts our property to the northeast, north and northwest, ostensibly it borders our property on two of the three sides (not counting Brush Hill Road). Although we support the objectives and mission of Chapter 40B, we believe that this proposed development is inappropriate for the following reasons:

1. Potential Impacts on the Safety and Quantity of Drinking Water

Sherborn is a semi-rural community. It lies in Boston's Metrowest, a region occupied by mostly suburban and urban cities and towns. Of the 351 cities and towns in the entire Commonwealth, only 14 (or 4%) obtain 100% of their water from private wells. Sherborn is one of those 14 towns. None of the towns surrounding Sherborn are entirely on private water. Sherborn is also entirely on septic. Therefore, it is highly important to have protections in place to ensure that each resident has clean drinking water.

Besides the concern for water quality, Sherborn is also plagued by limited water quantity. There is simply not an abundance of available and potable water beneath Sherborn. It is far from uncommon for wells in Sherborn to run dry.

a. The Heightened Concern for Clean Water in the Brush Hill Road Community

The General Chemical toxic waste site on Leland Street in Framingham is closely situated to this proposed housing development on Brush Hill Road. In fact, the General Chemical toxic waste site is less than one mile from the proposed development (1560 meters). General Chemical contaminated the groundwater with known carcinogens, including chlorinated hydrocarbons, Per- and Polyfluorinated substances (PFAS) and other hazardous substances. It also contaminated residential properties near General Chemical that resulted in the necessary demolition of four houses. Fortunately for those who reside in Framingham, they have access to public drinking water supplies. This is not the case for those who live next door in Sherborn. The Sherborn town line is approximately one-half mile from the General Chemical toxic waste site.

Groundwater flow is extremely difficult to determine and measure because it can follow random cracks in bedrock. Controlling the spread of the contaminated groundwater plume is of utmost importance. The hazardous compounds that General Chemical released are highly mobile in groundwater and are able to travel long distances. Pumping draws water towards the wells which can also draw the contaminated groundwater plume towards this proposed development and the surrounding area. Properly identifying and protecting the areas affected by well pumping is critical to maintaining groundwater

quality and quantity. The proposed development needs to take this serious issue into consideration.

#### b. The Concern of Septic Infiltration Into Drinking Water Wells

The Town of Sherborn mandates that applicants for a permit to construct a septic system must pass not only a percolation test but a groundwater elevation test. Requiring both ensures that a property's septic percolates effectively and is handled in an environmentally sound manner. The Commonwealth of Massachusetts only requires a percolation test. This proposed development failed the groundwater elevation test for its septic permit application. In addition, the proposed development property is bordered by wetlands on three sides. This high-water table further affects how the septic from this proposed housing development will enter and move through the groundwater. The reason for performing both the percolation test and a groundwater elevation test is to help ensure that Sherborn's limited potable groundwater is protected.

A development pursuant to 40B does not pose an absolute bar to local concerns. In fact, as Chapter 40B, section 23 provides, the comprehensive permit regulations specify that consistency with local needs is the central issue in all cases before the Housing Appeals Committee. 760 CMR 56.07(1)(a). For example, in Reynolds v. Zoning Board of Appeals of Stow, 88 Mass. App. Ct. 339 (Mass. App. Ct. 2015), "When faced with evidence that one or more adjacent private wells will have elevated nitrogen levels (the issue in the Reynolds case) and there is no public water source in the area and no proposal to provide the abutter with clean water, it is unreasonable to conclude that the local need for affordable housing outweighs the health concerns of existing abutters." The proposed development on Brush Hill Road raises many of the same issues regarding threats to drinking water resulting from a development with no alternative sources of water available.

The neighboring property owners to this proposed development do not have enough information to state, at this point, that their drinking water wells will not become contaminated as a result of this proposed development. Similar to the Reynolds case, there is no alternative source of water available. In addition to water quality, the same concern exists for the impact posed by the proposed development on the quantity of water available to the neighboring properties.

#### c. Need for Groundwater Studies, Monitoring and Protection

The developer of the proposed site has not undertaken nor committed to any groundwater studies to determine the direction of the flow to and from the proposed site. Furthermore, these studies are necessary to determine whether its draw of the groundwater or the sewage discharges could impact the drinking water for the prospective residents of the

proposed development or other people living in the community. This study should occur prior to approving any permit for construction to ensure the health and safety of the residents is fully protected. Furthermore, the developer has not proposed nor committed to long-term sampling and analyses of the proposed development's residential wells or the wells in the nearby homes. Long-term monitoring is necessary to reveal well water contamination and plume migration prior to any resident consuming contaminated groundwater. Due to the close proximity of the contaminated groundwater plume from the General Chemical facility, the low quantity of available groundwater, and no alternative source of water, a comprehensive groundwater study should be augmented by a properly funded environmental escrow account. This environmental escrow account is necessary to rectify fully any adverse impacts to the quality and quantity of the water in the drinking water wells of the proposed development and/or homes in the Brush Hill Road neighborhood.

## 2. Sherborn Has a Viable Plan to Meet Its 40B Obligations

Sherborn is committed to meeting its obligation under 40B. In fact, there is another 40B proposal of 130 residential units that would exceed Sherborn's 40B threshold. This other development has plans to connect with the City of Framingham's existing system for water and sewer service, thereby eliminating any additional draw on, or potential contamination of, the aquifer. Unlike the proposed Brush Hill development, the location of this proposed development is more ideally situated as it is readily accessible to a variety of shopping facilities and public transit.

Sherborn has scheduled a Special Town Meeting on October 17, 2023 for a vote on a North Sherborn Water and Sewer District which would be required to oversee the water and sewer needs for this development. If it passes, this 40B development will proceed.

## 3. The Proposed Development Exceeds the Size Authorized by Title 5

The proposed development is designed for 28 bedrooms which, according to the Massachusetts Department of Environmental Protection, is more than the number of bedrooms authorized in Title 5 of the State Environmental Code. *See 310 CMR 15.217 et seq.* The development parcel is 5.096 acres. Using the formula authorized by the Title 5 regulations, the maximum number of bedrooms allowed for that parcel is less than the 28 bedrooms in the project design. Therefore, the project design will have to be reworked and resubmitted.

## 4. Public Safety Concerns Due to the Narrowness of Brush Hill Road

Brush Hill Road has received Massachusetts state designation as a scenic road pursuant to MGL Ch. 40, Section 15C. This designation governs, *inter alia*, the maintenance and

removal of trees and stone walls. In many places along Brush Hill Road the width is exceedingly narrow. In fact, there are many spots where it is less than 16 feet, some at 15 feet, and the narrowest is 14 feet, 9 inches. Right where the proposed access driveway from Brush Hill Road leads to the proposed housing development, the width of Brush Hill Road is 15 feet. Furthermore, there are stonewalls and canopy shade trees all along the road. The narrowness of Brush Hill Road would impede or make it impossible for emergency vehicles to make the turn from Brush Hill Road onto the proposed access driveway. Brush Hill Road is not only narrow, but very windy and with several treacherous blind curves. During rush hour, commuters drive along Brush Hill Road far in excess of posted speed limits. If someone is parked on Brush Hill Road, cars can be prevented from proceeding on. In the winter months, the snow greatly narrows the road even further, making it even more difficult to travel.

The addition of eight more homes, and, therefore, an estimated sixteen more automobiles traveling the proposed driveway and the narrow Brush Hill Road will make walking, biking and driving much more hazardous than it already is now.

#### 5. There Is No Alternative Means of Egress From the Proposed Development

The proposed development sits on approximately 5 acres of land surrounded by Conservation Land, private property and wetlands. There is no means of escape if the proposed access driveway is blocked for any reason. Moreover, the woods are thick and the wetlands deep, so anyone with impaired mobility would be trapped.

#### 6. Adverse Impact on Wildlife and Open Space

The proposed 5-acre development property is a rich habitat for wildlife. We have personally observed fishers, mink, fox, coyotes, deer, and signs of black bear on that parcel. As far as birds, we have seen and heard owls, hawks, tanagers, buntings, pileated woodpeckers, cedar waxwings, warblers and many more. The proposed access driveway is a well-traversed corridor for wildlife joining the proposed development site and adjoining conservation lands with the farm, the Massachusetts Bay Circuit Trail, and woods on the other side of Brush Hill Road. This proposed development would block this corridor. The proposed development does not address how it will offset this loss of a critical habitat corridor.

#### 7. The Intrinsic Value of the Proposed Development Site

The proposed site is quintessential green space that not only serves as a habitat for wildlife, but also assists the Town and the State in reducing its carbon output. They are lovely woods filled with stands of mature and beautiful trees. Informal trails cut through the property joining the conservation land parcels on either side and connection with the Massachusetts Bay Circuit Trail.

Dwindling green space should not be sacrificed for more construction; they provide great value to more than just humans. Unlike the proposed Brush Hill development, sites should be selected in locations where existing properties can be redeveloped and are in proximity to services and public transit.

This is a value shared by the State. On September 26, 2023, Governor Maura Healy signed an Executive Order creating a Commission on Energy Infrastructure, Siting and Permitting. One stated objective by the Governor is the need to protect the Commonwealth's green space. We realize that Massachusetts also has the laudable objective of promoting affordable housing. Both of these State objectives can be achieved by proper siting, and allowing the town to meet its 40B commitments in other suitable locations that don't potentially endanger scarce potable water resources.

### Conclusion

For all the reasons stated above, the parcel is simply wrong for any development. Granting the permit potentially risks the safe drinking water to the prospective residents of the proposed development and those nearby residents. The potential human health concerns outweigh the potential benefits of granting the permit, especially since the Town of Sherborn already has a viable plan to safely meet and exceed its 40B obligations.

Thank you for your thoughtful consideration.

Sincerely,

Andrew and Michelle Lauterback

Friday, October 6, 2023

Dear Members of the Sherborn Select Board:

We would like to express our deep concerns and firm opposition to the proposed Chapter 40B development at 34 Brush Hill Road.

As 20-year residents at 32 Brush Hill Road and parents of 3 teenage children, we are intimately familiar with the neighborhood and surrounding area. The proposed housing development directly abuts our property on 2 sides. We understand and are generally compassionate to the objectives and mission of Chapter 40B; however, we believe this proposed development is wholly inappropriate in the requested location for the following reasons:

**(A.) Clean Water – Quality and Quantity**

100% of Sherborn residents obtain their water from private wells. Brush Hill Road is no different. We are also entirely on septic. Therefore, it's imperative to have protections in place to ensure each resident has clean drinking water. Aside from our concerns about water quality, we are also concerned about water quantity. We have been confronted with water shortages from our well in the past. It's my understanding clean ground water beneath Sherborn is not abundant and wells in Sherborn run dry with some frequency. We have recent personal experience with a poorly performing well. At substantial time and expense, we were forced to re-drill our well quite deep to reach a reliable and high-quality water supply for our home.

The General Chemical toxic waste site on Leland Street in Framingham causes many concerns. It's located less than one-mile from the proposed development at 34 Brush Hill Road. General Chemical polluted the groundwater with known carcinogens and other hazardous substances. It also contaminated residential properties near General Chemical resulting in the demolition of four homes in 2020. Former Framingham City Councilor Judith Grove expressed "the next step for the neighborhood (after demolition) is cleaning up the pollution still spreading underground from the General Chemical facility", which closed in 2014.

Groundwater flow is extremely difficult to know for certain, because it can follow rock structures which are impossible to fully map from the surface. The hazardous contaminants from General Chemical have leached into groundwater, are highly mobile, and can travel long distances. Pumping water from wells draws water toward each pump, which may also draw groundwater contaminants towards this proposed development and to pumps in the surrounding area – specifically toward our home, and the homes of our neighbors on Brush Hill Road. The proposed development must take this issue into serious consideration in its entirety.

**(B.) Potential for Septic Infiltration – Ground Water and Drinking Water**

The proposed development site failed the groundwater elevation test for septic permit application. The proposed site also abuts wetlands on three sides. The high-water table at this location raises substantial concerns about how the septic from the proposed housing development will impact the groundwater. The reasons for performing both a perc test and groundwater elevation test are to help ensure the integrity of Sherborn's limited supply of groundwater. I would also highlight that any contamination of our present

clean drinking water would leave us with no alternate source of water. Sherborn does not offer municipal water anywhere.

(C.) 34 Brush Hill Road – Front Property Line

Our home at 32 Brush Hill Road was constructed in 1962 on Lot 3, a plan endorsed as Approval Not Required (“ANR”) by the Sherborn Planning Board (“1962 ANR Plan”). The 1962 plan showed frontage along a curved portion of Brush Hill Road. After we purchased our property, we discovered the description of Lot 3 on the 1962 ANR Plan had an error. The previous plan, a 1955 plan, also endorsed by the Sherborn Planning Board as “Approval Not Required: (“1955 ANR Plan”) created the parent lot from which Lot 3 was later divided. The 1955 ANR plan established the front line with reference to the 1951 County Layout of Brush Hill Road that was never actually effectuated. As a result, Lot 3 on the 1962 ANR Plan did not extend all the way to the edge of Brush Hill Road, thus creating a slice of land/property we did not own. We subsequently obtained release of deeds to the small portion of land that connects our property to Brush Hill Road, but this was complicated and time consuming. 34 Brush Hill Road may face a similar issue, and may not abut Brush Hill Road in the same manner as our property. If so, this issue must be considered and addressed.

(D.) Green Space Protection

One of Governor Healy’s recent stated priorities is protection and preservation of the Commonwealth’s green space. With respect to the proposed Brush Hill Road development, Sherborn has an opportunity to meet our commitment to 40B housing, but at a more appropriate site on Coolidge Street and without negative impact to Brush Hill Road, a critical 5+ acre natural habitat corridor, adjacent conservation land, and Massachusetts Bay Circuit Trail. Approving the 40B project at 34 Brush Hill Road would create adverse impact on all of these assets. Furthermore, as Governor Healey stated on September 21, 2023:

“Our state is home to precious natural resources – from our towering forests, numerous lakes and ponds, vast network of rivers, and beautiful marshland, estuaries, and abundant ocean – that clean our air, power our economy, and serve as a home to hundreds of threatened and rare species. These lands define the culture of our state, and today, we are taking bold action to preserve them for generations to come.”

This proposed development also stands in direct conflict with both the spirit and intentions of Governor Healey’s recently affirmed environmental goals which are designed to protect our critical natural resources.

(E.) Safety – Brush Hill Road Width

Brush Hill Road is old and narrow and served as a farm road the early 1900’s, and possibly earlier. Massachusetts designated Brush Hill Road as a “scenic road” in 1974. This designation has implications with respect to maintenance and removal of trees, as well as stone walls. Brush Hill Road is also extremely narrow, and measures 15 feet at some spots, with the narrowest at 14 feet, 9 inches which barely allows two vehicles to pass each other. Our road becomes even more narrow during snow season, and we occasionally pull into snowbanks when faced with oncoming vehicles. Typical commercial vehicle width is 9 feet. Ambulances and fire trucks range between 9 and 10 feet wide. At the location of the planned access

driveway for the proposed development, Brush Hill Road is 15 feet wide. Also, there are stone walls and several old growth trees along both sides of Brush Hill Road at the location of the planned access road.

The narrow width of Brush Hill Road would offer challenges in the best of conditions (non-winter) for emergency vehicles turning onto the proposed access road. I would highlight that Brush Hill Road is also a fairly tricky and winding road, with several blind curves.

Our other concern is that the addition of more homes, plus the 16+ motor vehicles associated with the proposed homes will further increase the traffic load on this narrow country road. We believe this will contribute to the existing perils of walking, biking and driving on Brush Hill Road.

**(F.) Conclusion**

For the reasons cited above, and many more, 34 Brush Hill Road is an inappropriate choice for the proposed housing development. The extensive and serious threats to our safe drinking water, increase in vehicle traffic, numerous public safety concerns, loss of biodiverse green space, as well as the numerous concerns expressed by The Sherborn Select Board in January 2020 about similar 40B projects with comparable profiles must also be considered when evaluating this project.

Clearly, the proposed development at 34 Brush Hill Road presents a situation where the abundant concerns and risks are substantially greater than fulfilling a 40B housing quota in this location.

Respectfully offered for your consideration,

Dennis and Victoria Natale

## Brush Hill Road – Typical Widths

\* Note: For reference, a Jeep Wrangler is 7 feet wide not including the mirrors



September 27, 2023

To the Members of the Sherborn Select Board:

This letter is to voice my strenuous objections to the proposed Chapter 40B development at 34 Brush Hill Road/ aka 0 Brush Hill Road that will be considered at the next Town Meeting. As a long-term resident of Brush Hill Road and a senior citizen (age 74) I have serious concerns about the impact of this potential development on my personal safety as well as that of my neighbors, particularly regarding increased vehicular traffic on an already constricted, overused and poorly maintained street. I also object to the development on environmental grounds with respect both to contamination and quantity of the groundwater supplying our wells and to deleterious effects on wildlife and greenspace. While I fully support the creation of additional affordable housing in Sherborn, I believe that the location in this proposal is entirely inappropriate for that purpose and poses significant hazards to the well-being of existing residents.

Michelle and Andrew Lauterback, whose property would abut the development, have written to you extensively on this subject. I believe that their arguments against the proposed 34 Brush Hill Road construction are accurate, well-reasoned and wholly sensible. I support their statements (copy attached) completely and would vote "no" on the proposal at Town Meeting.

My greatest personal concern is about the inevitably worsened vehicular traffic this development would impose on the immediate area. Brush Hill Road is a narrow, twisting country lane with houses close to the street on both sides. Its residents are primarily senior citizens and some newer families with young children. It also unfortunately serves as a cut-through from Western Avenue to Route 27, resulting in drastically increased traffic including large trucks and heavy machinery, especially at commuting times (roughly 7-9:30 a.m. and 4-6:30 p.m.) These commercial/industrial vehicles as well as cars, invariably speed along the road, generating intermittently extreme noise pollution and exhaust fumes and endangering any residents who might walk, bike, await a school bus or even attempt to drive there. Police do not patrol adequately or ticket the speeders. Additionally, the street directly in front of my property (#27) is so narrow (barely 16 feet across) that two SUVs going in opposite directions cannot pass each other unless one car pulls over to the side and stops. Snow only worsens the problem and most neighbors have had their mailboxes toppled by town plows because the street is so narrow. Directly across the street from my front yard is an area on the road side that has been effectively gutted by trucks pulling over to let cars pass; this has destroyed a drainage site for stormwater and left a deeply rutted mud field. The constant large vehicle traffic has also wrecked the pavement on both sides of the road, causing recurrent, enormous potholes along the whole length of the street; it is poorly maintained/repaired by the town. Increased traffic from the proposed development will only adversely affect these issues.

Please register my rejection of the proposal to develop 34 Brush Hill Road under Chapter 40B.

Sincerely yours,



Hedy S. Wermer  
27 Brush Hill Road.

## **Project Description – Project Eligibility Application**

### **Brush Hill Homes**

#### **34 Brush Hill Road, Sherborn, MA**

“Brush Hill Homes” will be located on five acres of land at 34 Brush Hill Road in Sherborn, MA shown on a plan of land dated August 2023, and prepared by Samiotes Consulting Inc. The Applicant, Fenix Partners Brush Hill, LLC has planned 8 homeownership condominiums including 4 three-bedroom, 2.5 bath and 4 four-bedroom 2.5 bath single family homes.

All homes will have a two-car garage. Each will have an open concept kitchen/living room area, a washer/dryer with one or more of the following: patio, farmers porch or deck. Two homes will be income restricted to 80% of area median income for the Boston-Cambridge-Quincy HUD market area.

The Town of Sherborn has stated in its Housing Production Plan (2022) and again in its Master Plan (2019) that it seeks ***“more affordable homeownership options including small cottage style homes in cluster developments, condominiums, and townhouses”***. The applicant believes this community will further that goal.

Brush Hill Homes will be located 2.5 miles from the Framingham MBTA station and other services in Framingham.

The community will be served from Brush Hill Road by pole mounted utilities for electricity, internet, cable tv and other communications which will be brought on to the site underground. The homes will have three private wells to provide water and the condominium will share a Title V septic system.

As site planning further develops, the applicant will seek to site solar panels to meet a net-zero energy standard if possible. In addition, the applicant will work with MA Save to adopt an all-electric heating system.

Below is a summary of the proposed homes:

<b>Unit Type</b>	<b># Units</b>	<b>Sale Price</b>	<b>Size Sq Ft</b>
Affordable 3 Bedroom 2.5 bath Single Family	1	\$297,200	1,670
Affordable 4 Bedroom 2.5 bath Single Family	1	\$334,400	2,560
Market Homes 3 Bedrooms 2.5 baths Single Family	3	\$875,000	1,670
Market Homes 4 bedrooms 2.5 baths Single Family	3	\$1,250,000	3,018

Unit owners will be provided with exclusive use areas around the buildings. There will be walking paths to access the central green space as well as other areas of the property.

The site is currently undeveloped and is lightly wooded. There are no wetlands on the property which is mostly surrounded by undeveloped woodlands held in Sherborn Forest and Conservation land.

#### **Site Control:**

The site is currently owned by Fenix Partners Brush Hill, LLC under a deed recorded at the Middlesex County Registry of Deeds in Book 81892, Page 265.

#### **Design Narrative and Energy Efficiency:**

The proposed site layout includes three- and four-bedroom homes meant to help address the needs of a range of households and income levels. Each home is 1.5 to 2 stories in height, including pitched roofs. Detailing and materials are in keeping with the traditional, residential, New England character of the surrounding community. Homes include front porches that face the shared walks and green spaces of the neighborhood, helping foster a sense of community between residents. All homes include a two-car garages accessed through rear parking lanes that help minimize the presence of cars and garage doors from the common green spaces in the front of the homes.

From an energy perspective, the project will seek to achieve a net-zero goal using electric heat-pump units and solar panels onsite. The homes will adhere to the Stretch Code and include energy efficient envelopes and mechanical systems to

help minimize the amount of heating and cooling. Appliances and lighting will be Energy Star certified; all fixtures will be low flow without VOCs.

#### **Affordability and Housing Needs:**

Two homes will be eligible to be counted on the Town of Sherborn's Subsidized Housing Inventory (SHI) which currently stands at 3.1%, well below the Commonwealth of Massachusetts 10% requirement. According to the 2020 ACS, Sherborn has 1,547 ownership units. The development will provide a multi-generational community with units that are appropriate for young professionals, families and seniors either wishing to enter the homeownership market or looking to downsize and stay in the community.

#### **Fire Protection and Public Safety:**

An on-site fire cistern will be sited in coordination with the Sherborn Fire Department. The applicant will provide the Fire Department with a fire apparatus vehicle turning movement plan to show that there is adequate space within the site for fire truck turning movements.

#### **Environmental Due Diligence:**

Environmental due diligence was completed by consulting the latest Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM). It was determined that there are no flood boundaries located on-site. The latest Massachusetts Natural Heritage atlas effective August 3, 2018, indicates that there is no Priority Habitat mapped within or near the property.

#### **Stormwater Management:**

The project will be designed to meet or exceed the requirements of the Department of Environmental Protection (DEP) Stormwater Management Standards as outlined in the Massachusetts Stormwater Handbook. The drainage system once fully engineered will match or reduce stormwater runoff rates offsite. A system of catch basins, drain manholes, a sediment forebay, and infiltration which will meet or exceed that required by Mass DEP standards.

The final Stormwater Management Plans will include provisions for both "Construction Phase Erosion and Sedimentation Controls" and a "Long Term Operation and Maintenance Plan".

**Wetlands:**

The property has been surveyed by a wetlands scientist and no wetlands were found. A small corner of the land is within a 100' buffer zone. The applicant has applied for an ORAD under MA WPA through the Sherborn Conservation Commission.

All construction proposed in the concept plan is outside of 100' to wetlands.

Compliance with the DEP stormwater standards will provide a presumption that groundwater supplies and adjacent properties are adequately protected from negative impacts. The project applicant will work cooperatively with the Town of Sherborn and their engineering consultant to ensure that development of the project is in full compliance with all applicable state standards.

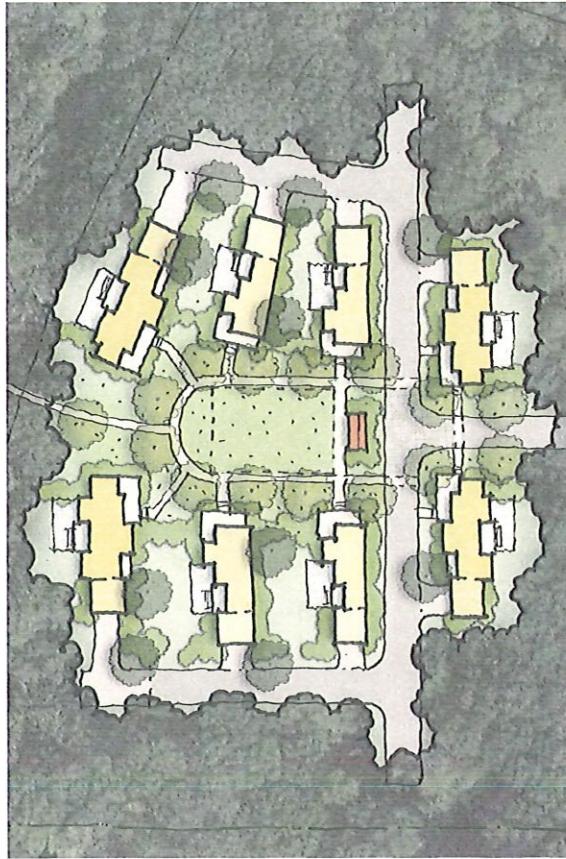
**Previous Development Efforts:**

While the property meets Sherborn zoning regulations for one single-family home, the applicant is not aware of any previous applications submitted for further development of the site.

# SHERBORN COTTAGE COURT

## PRELIMINARY SITE SCHEME

AUGUST 18, 2023



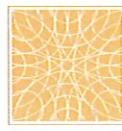
[www.unionstudiodesign.com](http://www.unionstudiodesign.com)

t 401.272.4724 f 401.272.4825

140 Union Street Providence, RI 02903

UNION STUDIO

ARCHITECTURE & COMMUNITY DESIGN



SHERBORN COTTAGE COURT

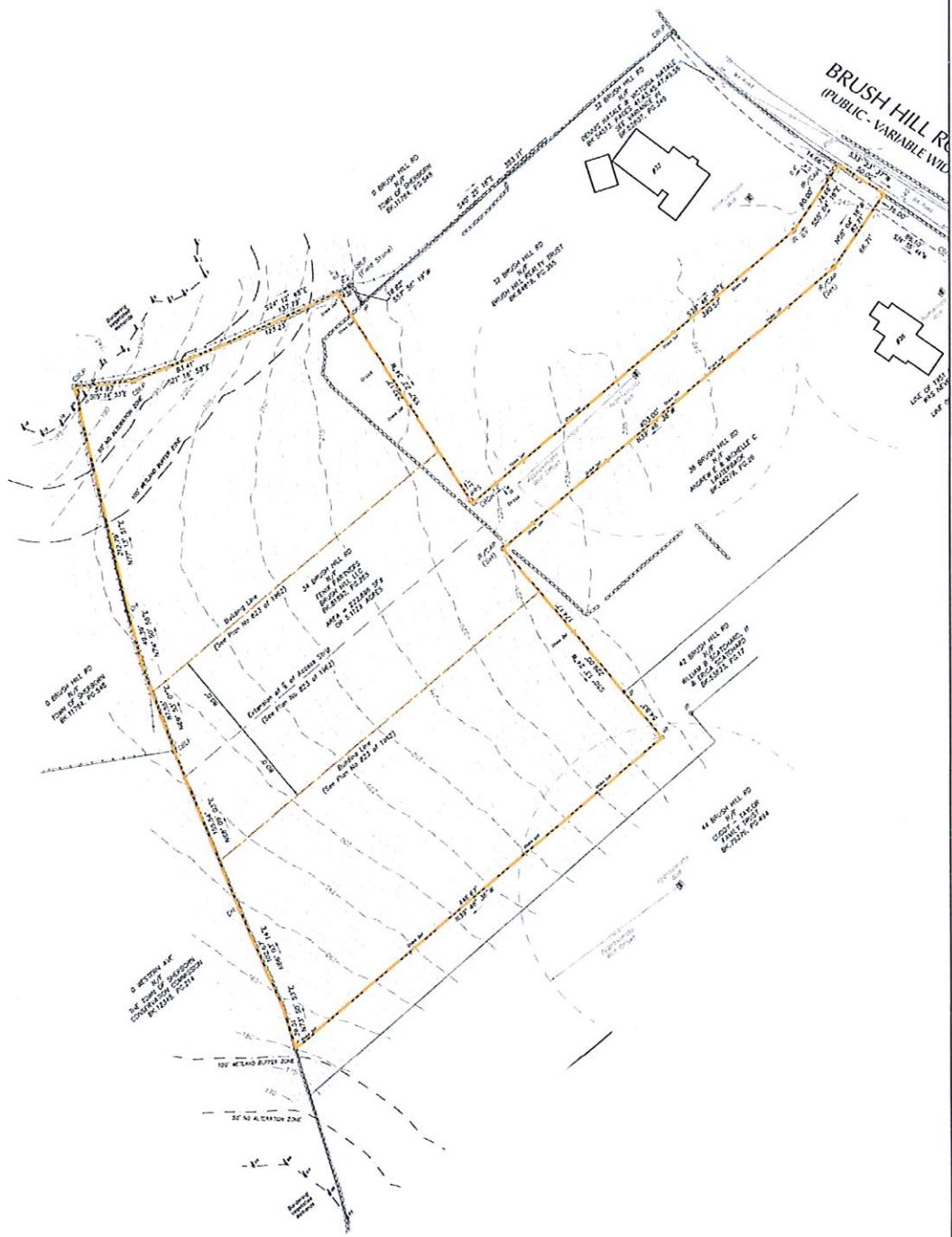
EXISTING CONDITIONS - SURVEY

AUGUST 18, 2023

600



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## SHERBORN COTTAGE COURT

EXISTING CONDITIONS - AERIAL

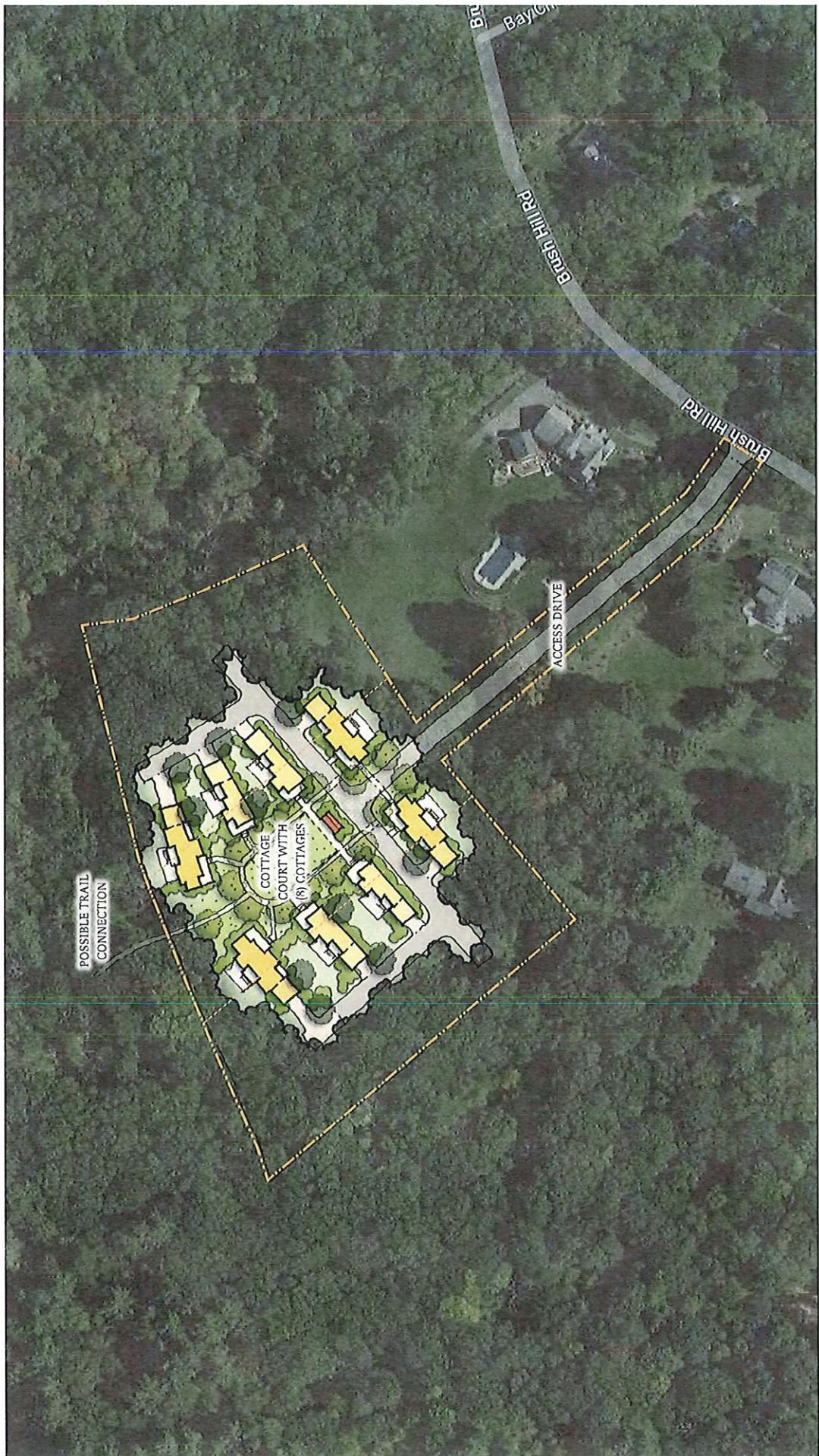
AUGUST 18, 2023

SCALE 1"=100'-0"

PAGE 3



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## SHERBORN COTTAGE COURT

PRELIMINARY SITE LAYOUT

AUGUST 18, 2023

SCALE 1"=100'-0"

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## SHERBORN COTTAGE COURT

PRELIMINARY SITE LAYOUT - DETAIL

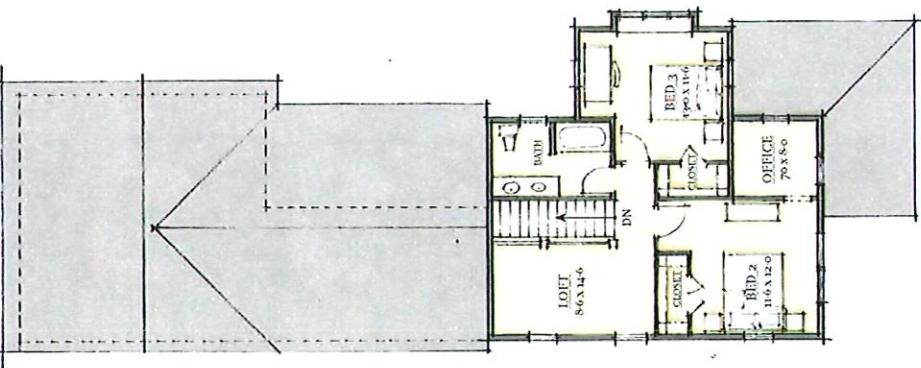
AUGUST 16, 2025

SCALE 1:50'-0" 0' 25' 50' 75' 100'

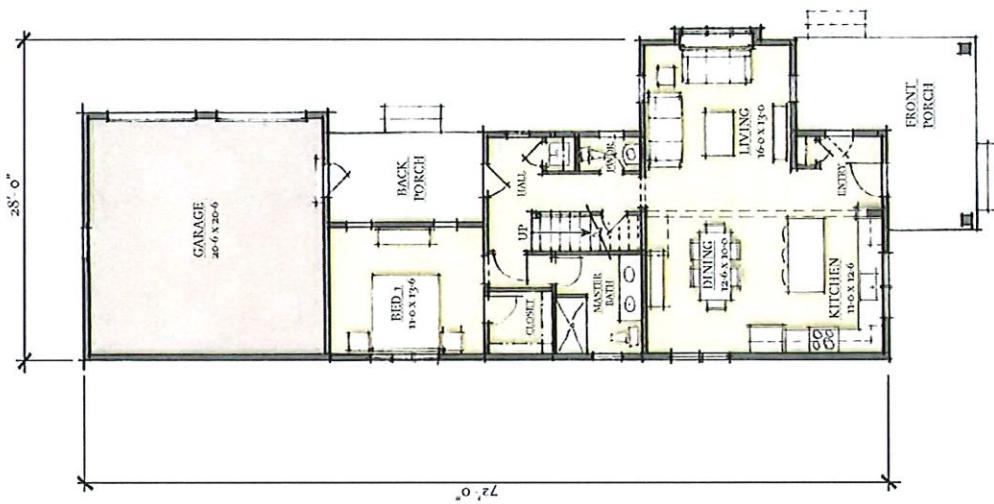


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PAGE 5

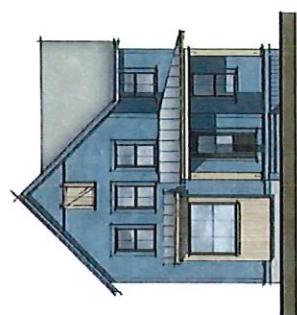


SECOND FLOOR PLAN



FIRST FLOOR PLAN

3BR COTTAGE  
1,670 SQUARE FEET  
3 BEDROOMS, 2.5 BATHS  
WIDTH: 28'-0" DEPTH: 72'-0"



FRONT ELEVATION



SIDE ELEVATION

## SHERBORN COTTAGE COURT

PRECEDENT UNITS

JUNE 20, 2023

SCALE 3/32"=1'-0"

0 1' 2' 4' 6' 8' 10' 12' 14' 16' 18'

PAGE 7



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