

The Delgado Family
33 Greenwood Street
Sherborn, MA

BY ELECTRONIC MAIL:

Sherborn Zoning Board of Appeals; Sherborn Board of Health
19 Washington Street
Sherborn, MA 01770

Dear Members of Sherborn's Board of Health ("BOH") and Zoning Board of Appeals ("ZBA"),

With regards to the proposed development on Greenwood Street, we have serious concerns about the impact this project will have on the safety of our community's drinking water given our reliance solely on private wells and septic systems. While we respect the authority and judgment of our local government officials such as the BOH and ZBA and welcome the town's efforts to increase affordable housing options for its residents, we have observed a concerning level of accommodation and willingness to approve variances to multiple regulations for the benefit and profit of a developer.

Sherborn is unique in that the entire town relies solely on well water and septic systems. As a result, we believe that protecting and ensuring high quality and sufficient water supply should be paramount. There is no more appropriate example of such risk as posed by the Greenwood Street project where there is a history of shallow depth to groundwater as well as abundant wetlands coupled with a material amount of ledge. These attributes all increase the level of risk for septic discharge (nitrogen) and other contaminants into surrounding groundwater, only exacerbated by any blasting through the ledge to facilitate the drilling of new wells.

After only recently being informed of instances in Sherborn where members of our community have suffered lead and manganese contamination of their wells following blasting conducted to drill new wells for an abutting development, have we grown more anxious and concerned of the impact of this proposed development.

We appreciate your consideration of our concerns detailed below:

- The developer of this project has asked for variances in distances between wells, septic systems, and neighboring wells. We ask that no variances for well and septic be granted for this project. The current town regulations were designed and developed to protect our water; therefore we should require that the spacing between wells and septic systems meets all distance requirements. To do otherwise increases health risks for future residents of the project as well as current residents by putting us in danger of septic related contaminants.
- When the water testing was conducted at the site of the proposed project, Sherborn was experiencing a drought. We ask that you require the ground to be tested again now that the water levels are closer to historical norms.

- The risk of water contamination will be ongoing. In consideration of this fact, we also ask that you require that as the wells are drilled, a real time monitoring system is put in place to monitor the flow of water, movement of plumes, and any other impacts on groundwater AND that the developer monitor the water levels in the well as they are installed.

As cited by our neighbors in their submission to the ZBA and BOH, there is precedent for denying a comprehensive permit to protect the health and safety of residents as in the “Reynolds v. Stow Zoning Bd. of Appeals” case. Like Sherborn, Stow has a set of local bylaws that are more restrictive than state laws governing septic systems and the courts found that the Stow project posed a risk to the health and safety of residents.

Finally, abutters are being asked to accept these risks in exchange for the addition of one affordable housing unit to the town. We fail to see how this risk is outweighed by the Town’s need for affordable housing and, as evidenced in guidance provided by Massachusetts courts, the ZBA and BOH are well within their rights to deny the application (or, at a minimum, add conditions to granting the permit) in protection of the health and safety of Sherborn residents.

In the absence of a public water supply, our local government has the responsibility to maintain the health and safety of our family. We hope that the ZBA and BOH will take into consideration the voices of our community.

Sincerely,
Brian and Helena Delgado