

# SHERBORN CONSERVATION COMMISSION



**TO:** Select Board: George Morrill, Chairman, and Fellow Board Members  
**cc:** David Williams, Town Administrator

**FROM:** Sherborn Conservation Commission

**DATE:** December 16, 2019

**RE:** **Conservation Commission Evaluation and Recommendations for 61B Parcels on 31 Hunting Lane**

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Dear Select Board Members,

The Sherborn Conservation Commission is writing to recommend that the town acquire the parcels currently under Chapter 61B protection at 31 Hunting Lane as new town conservation land.

The conservation and recreation goals in the 2019 Sherborn Master Plan form the basis for our recommendation. While we recognize that there are other priorities in the Master Plan, such as the development of affordable housing, given the importance of groundwater, changing water supplies and climate change-induced stressors and development pressures in and around Town Center, on these specific parcels we believe that conservation and recreation values take precedence.

As is authorized in MGL Chapter 40 § 8C, conservation commissions “may acquire [lands]...as may be necessary to maintain, improve, protect, limit the future use of or otherwise conserve and properly utilize open spaces in land and water areas within its city or town, and it shall manage and control the same.” With regard to the 61B parcels at 31 Hunting Lane, there are several outstanding conservation and passive recreation values that would make them an ideal addition to the town’s inventory of Conservation land. In addition, the property provides an important piece of connectivity to an extensive wetland system that parallels Sherborn Center and could be at risk of contamination from a dense development on the upland portion of the property. These wetlands act as a sponge that helps water infiltrate into the ground, retains stormwater and takes up contaminants—all of which contribute to the quality and quantity of groundwater available to property owners’ wells along Hunting Lane and North Main Street in Sherborn Center.

If the town decides not to exercise its right of first refusal, the Commission recommends that the town ensure that the land is acquired for conservation and recreation purposes via the 2019 Master Plan's "partnering mechanism" of "transfer[ing] its right of first refusal [to nonprofit conservation groups] on high-priority MA Chapter 61, 61A, or 61B lands when they become available." What follows is an enumeration of the values the Commission has identified that support this recommendation.

## **1 Open Space Protection**

The Master Plan's Natural Resources and Open Space Protection section states that "The value of open space is felt well beyond property values and economics as well as beyond the basic needs of clean water and climate control...Open spaces are also fundamental to the quality of life in Sherborn...[and] are important for the health of adults and healthy development of children." But, as the Master Plan goes on to say, "[though s]ignificant areas of the town's land are protected from development by various mechanisms...[the] protection is not absolute...Many private properties have temporary conservation protection under MA Chapter 61...[and] these properties remain vulnerable to development." The Master Plan concludes that "Lands registered under Chapter 61 are under temporary protection that readily can be reversed." To address this, the Plan makes Recommendation C1 in Goal III, where the town should:

"Develop funding strategies and/or partnering mechanisms that will empower the town to exercise or transfer its right of first refusal on high-priority MA Chapter 61, 61A, or 61B lands when they become available."

*The Commission believes that the parcels on Hunting Lane are high priority Open Space lands and should be acquired for conservation purposes for all the reasons articulated below.*

## **2 Improve Town Center Trail Connections and Town-wide Trail Network**

The Town Center section of the new Sherborn Master Plan rightly boasts that Sherborn has "some of the most scenic...trails in the Greater Boston area. These resources attract...hikers from the entire region, and they could benefit Town Center businesses..." Because of that, the Master Plan makes several recommendations, one of which is to establish "linkages from the town-wide trail system to Town Center through existing and new trails" and to do so by, amongst other mechanisms, using "us[ing] existing easements and negotiat[ing] new ones."

The Recreational Resource section of the Master Plan goes on to state, "Extensive trails through our conservation lands promote the health and well being of residents of all ages...[and have also attracted] nonresidents who seek to enjoy outdoor exploration and spot wildlife." In addition, it states that the town could "enhance this resource by establishing new trail connections between existing open space parcels. For many years, trail enthusiasts have envisioned linking together Sherborn's own 'Emerald Necklace'—a continuous band of interconnected trails encircling the town and connecting to a recreation-friendly Town Center via trail links." The Master Plan then recommends that the town "Take every opportunity to establish new trail connections and improve the town-wide trail network..."

Lastly, the Master Plan laments that "[m]any Sherborn residents do not know about the town's extensive trails and conservation lands." To reinforce this, it is not well known that Unity Farm, which abuts 31 Hunting Lane to the west, and the Sherborn Rural Land parcel directly south of Unity Farm have existing trail systems.

*The Commission believes that if the 31 Hunting Lane parcels were acquired for conservation purposes, the existing trails at Unity Farm and the nearby Sherborn Rural Land parcel, known as Rockwell Woods, could be extended through 31 Hunting Lane and on to Town Forest to help provide just the linkages called for in the Master Plan, affording greater opportunities for passive recreation use in proximity to Town Center and the increased potential for trail linkages directly to Town Center.*

### **3 Water Resource Protection**

The first goal in the Natural Resources and Open Space section of the Master Plan is to “Maintain the long-term quality and quantity of Sherborn’s water resources,” noting that “protection of water quality and quantity [is] crucial to residents’ health as well as the economic development and sustainability of the town.” In its Summary of Challenges callout for this Goal, it states that “Sherborn is totally dependent on groundwater resources. Our water resources are vulnerable to existing and future septic waste and other contaminants from human activity including large housing developments.”

In the “Town of Sherborn Groundwater Protection Study” commissioned by the town from Woodard & Curran in 2003, it is reported that:

- There are no areas with significant potential aquifer yield value in the Town Center (the closest aquifer is near Dowse’s Corner, about 0.8 miles away)
- Topography in the center of town is high, shallow bedrock coated with deposits of compact fill, allowing little connected void space for storage and flow of groundwater.
- Precipitation in the center of town tends to run off quickly to the steep side streams in the interior and ultimately to the lower valleys on the flanks of the Town and thence out of town [to Charles and Sudbury Rivers].

Further, there is strong evidence that previous blasting on Paul Hill contaminated an abutter’s well with manganese at 30x safe drinking water levels. Toxicity from high levels of manganese can result in a permanent neurological disorder similar to Parkinson’s known as manganism, with symptoms that include tremors, difficulty walking, and facial muscle spasms. A housing development and a wastewater system would be located on Paul Hill (where bedrock is close to the surface) for the 40B project currently proposed at 31 Hunting Lane. Toxins released on Paul Hill during blasting or from septic system breakout could enter the wetland system and groundwater near Town Center and travel from there via Indian Brook into the wider wetland system at Lake, Eliot and Everett Streets—similar to contaminant flow from Framingham along Course Brook near Coolidge Street. Therefore, many more properties and businesses in the area could be impacted by groundwater contamination.

Lastly, residents on Hunting Lane currently have issues with water quantity. Some residents have had to drill second wells because they are not getting the flow they need (4 gallons per minute). In previous water yield testing at 31 Hunting Lane, the applicant had to hydrofrack one of the wells and even after this procedure, had yields that were too low to serve as part of the water supply for any proposed larger project.

If numerous residences are built at 31 Hunting Lane, it could have detrimental effects on the water supply in the area, jeopardizing the current residents’ drinking water supply as well as anyone moving into the new development.

Lastly, 31 Hunting Lane lies in a valley between Paul Hill, which rises along Green Lane, and Pine Hill. Water draining from higher elevations is recharging wetlands that parallel the railroad tracks and spread out on the 31 Hunting Lane property. The wetlands here are connected to a larger wetland complex—the most significant wetland complex near Town Center—to the north along the railroad tracks that expands near Town Forest and crosses North Main south of Lake Street. These wetlands collect in a stream that flows under Hunting Lane and Main Streets (at Town Forest), past Lake Street and into Indian Brook, which is part of a larger wetland complex near Little Farm Pond. The wetlands play a significant role in retaining water running off from higher elevations, recharging groundwater and filtering contaminants in the area. They are the primary source of water cleansing and recharge near Town Center, and are very important to the purity and quantity of well water in the area, acting like a sponge that holds the water long enough to infiltrate into the ground.

*The Commission believes that acquiring the 31 Hunting Lane parcels for conservation purposes would help avoid water quality and quantity issues associated with the proposed residential development there, and instead greatly aid protection of water resources in Town Center and the surrounding area.*

#### **4 Climate Resiliency and Stormwater Management**

The Master Plan states, “Uncontrolled conversion of...[large private properties under Ch. 61 protection]...to conventional subdivisions or to dense housing under Ch. 40B law would result in degradation of Sherborn’s unique scenic ambience and fragmentation of forested areas and wildlife corridors that provide *environmental resilience in the face of climate change* [emphasis added].”

Climate-induced changes in precipitation, winter conditions, and extreme storm events have increased base and average stream and river flows in many parts of New England. Land use practices, water withdrawals for human use, and development are also influencing hydrological conditions of water bodies and aquifers. This has important implications across all conservation values for the town.

The wetlands in and around 31 Hunting Lane help serve as natural flood controls to prevent storm damage. In the area around 31 Hunting Lane, during rain events one can observe roadside flooding on the east side of the railroad tracks that run across Hunting Lane (where wetlands don’t exist) because the water has nowhere to go. On the west side of the tracks, where the intact wetlands that partially lie on 31 Hunting Lane are located, the quantity of flood water is better contained. In general, during flood events, flood waters pick up and transport many contaminants and pollutants that can affect the quality of surface and groundwater that are an essential part of Sherborn’s infrastructure.

*The Commission believes that acquisition of the land at 31 Hunting Lane for conservation purposes would contribute significantly to the Master Plan’s call to proactively address issues of climate change and protect property and water resources via a wetland’s natural ability to prevent pollution and reduce the severity and damage from flood events.*

#### **5 Wildlife**

In Goal II of the Natural Resources and Open Space section of the Master Plan entitled “Protect Sherborn’s forests and overall biodiversity,” it is noted that “Because forests are important for the maintenance of groundwater supplies and climate control, Sherborn’s forests should be considered an

important component of the town's infrastructure."

With regard to 31 Hunting Lane, this section of the Master Plan's text regarding habitat, habitat corridors and habitat fragmentation are particularly applicable. As the Master Plan notes, "Studies have shown that smaller forests that are interconnected by forested corridors can...be hardy. Connected ecosystems do not distinguish land ownership, thus the health of the entire forest ecosystem in Sherborn will best be maintained if sound management plans are applied to public and private lands alike." In its Summary of Challenges for this goal, the Plan notes, "Development plans and land use decisions by private landowners are generally made without regard to preserving the natural corridors important for ecosystem health. This results in forest and habitat fragmentation and loss of resilience." This is especially relevant for 31 Hunting Lane, where its 61B designation does not afford it the kind of protection needed to protect Sherborn's forests and overall biodiversity, especially around Town Center where development density is otherwise highest.

Recommendation B1 of this section calls for the town to "Develop a proactive strategy for maintaining MA Chapter 61 protection and adding permanent protection to selected conservation-critical Ch. 61 properties...[by]...[d]eveloping a funding strategy and negotiate partnerships in advance, so that the town is poised to exercise its right of first refusal when critical parcels become available."

The stream and surrounding wetlands that start at Zion's Lane and run through 31 Hunting Lane allow animals access to water and give naturalists opportunities to observe wildlife there. Also, since Hunting Lane is a narrow road with very low traffic, there's a high level of connectivity between habitat at 31 Hunting Lane and Town Forest. There is a wildlife corridor between Unity Farm/Maple St/Green Lane and the northern part of Sherborn and Town Forest, which one resident of Hunting Lane describes in the following way:

There is a wildlife corridor that runs from the open land in the south east of Hunting through Unity Farm and up along the south side of Hunting. The corridor is blocked, understandably, by the Dowse Orchard's 8-10 foot perimeter fence. The current migration is to use Unity Farm and trails, and up along the south side of Hunting. At that point wildlife either travels up to Green Lane and into Town Forest or through the property that abuts the western edge of 31 Hunting. Wildlife then crosses and goes to the forest that runs behind the north side of Hunting all the way to Prospect and beyond Perry. Wildlife also crosses from Unity to the Somerville property. Any development on Hunting Lane would totally block the wildlife of a clear and safe passage through this area.

The diverse wildlife in this area reflect robust wetland and upland ecosystems. Wetland species include beavers, muskrats, minks, and snapping turtles. Upland species include foxes, fishers, possum, deer, coyotes and bobcats. Species such as mink are particularly vulnerable to habitat stressors like aquatic connectivity loss (roads and dams), temperature changes, changes in hydrology, storms and floods, terrestrial connectivity loss (roads and development) and drought.

*The Commission believes that acquisition of the land at 31 Hunting Lane for conservation purposes would contribute significantly to the Master Plan's goal of protecting our forests and their biodiversity by sustaining important wildlife species and the essential habitat and corridor connections that the Master Plan calls for and that the 31 Hunting Lane land currently provides. This habitat value is made even*

*greater given the land's proximity to Town Center, where the highest level of development density in the town exists.*

## **6 Conclusion**

For the reasons enumerated above, the Conservation Commission concludes that the parcels currently under 61B protection at 31 Hunting Lane are a paradigmatic example of the kinds of lands that the Master Plan prescribes acquiring for conservation purposes, either by the town exercising its right of first refusal and purchasing it as conservation land or by the town assigning its right of first refusal to a private organization for the same purposes. Therefore, we strongly encourage the Select Board to either purchase the land or assign its right to do so to another organization. Thank you very much for considering the Commission's input.

Respectfully submitted,  
Sherborn Conservation Commission

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