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Conservation Commission by e-mail to concom@wrentham.gov
79 South Street
Wrentham, MA 02093

RE: Sheldon Meadow Senior Living Community (SLC) (20 Hancock Street)
Sheldon West Senior Living Community (SLC) (1139 West Street)

Dear Chair Immonen, Members of the Commission and Agent Luce:

I am writing on behalf of myself and my wife Dyan Rook, who have resided at 1170 West Street for 43 years. I am writing to express our opposition to these projects, even as scaled down. The project sites are not suitable for the proposed development and the projects as designed still create unacceptable risks to abutting and neighboring properties.

More than fifty families in Sheldonville and West Wrentham have attended remote hearings and filed letters to express their opposition. Except for the applicant's paid representatives, **not one person** has expressed to any reviewing Board support for these ill-conceived projects, and with good reason. They have significant potential to threaten our homes, negatively impact the drinking water of approximately 130,000 people served by the Pawtucket Water Supply Board, and irreparably harm historic Sheldonville. And for what? More upscale condos (units at the Weber Farms SLC on Dedham Street are being listed for more than \$800,000.00) that do nothing to address the undisputed need for real-world affordable senior housing?

The abutters and neighbors who oppose these projects are not and never have been a group of NIMBYs, determined to stop any development near us. When Gold Street was constructed, concerns were raised as to the blasting and flooding effects on nearby properties at lower elevations, but there was no opposition. The same was true for Manchester Drive and Rhodes Drive. When the former Sheldonville Nursing Home was re-purposed as a sober house (Gilly's), there was little opposition. Gilly's House has been a good neighbor doing good work. We certainly are not against all change.

While we can only speak for ourselves, after conversations with many neighbors, we believe that an appropriately sized (perhaps 3-5 homes) and designed open-space subdivision could work well on the site, with little or no opposition. That would still give the owner an excellent profit on his initial investment. Nobody is trying to deprive him of all reasonable uses of his property. But no landowner is legally entitled to wring every cent he can from an inappropriate site, at the expense of everyone else.

Our specific comments at this time are as follows:

1. We see no evidence in the filings that the applicant has addressed, or even attempted to address, the climate change resilience requirements of Article 8.1 of the Regulations of the Town of Wrentham Conservation Commission. Those regulations require that the applicant:

- * describe project design considerations to limit storm and flood damage during extended periods of disruption and flooding as might be expected in extreme weather events (8.1.C.1);

- * describe project stormwater surface runoff, which may increase due to storm surges and extreme weather events, and how this will be managed/mitigated to prevent pollution (including nutrients from fertilizers, roadway runoff, etc.) from entering the resource area, with consideration of eliminating impervious surfaces as feasible (8.1.C.2);

- * describe project vegetation/planting plans and other measures to improve the resiliency of the wildlife habitat of the resource area to withstand potential temperature and rainfall changes (drought and excess) due to climate change (8.1.C.3); and

- * describe measures to protect proposed structures and minimize damage to structures due to the impacts of climate change (8.1.C.4).

The Conservation Commission was prescient in promulgating regulations to address climate change and climate change resiliency. No other reviewing Board in Wrentham has done so. There is compelling recent evidence (drought, wildfires, flooding, increasing extreme weather events of all types) that the effects of climate change are upon us ahead of predictions, accelerating, and demanding urgent action. The Commission must require of the applicant complete documentation and total compliance. If the applicant cannot or will not do that, then these projects should be denied outright.

2. Of great concern is the fact that the applicant proposes bringing in approximately 70,000 cubic yards of fill from unknown sources and of unknown purity. Despite repeated requests, the applicant has not been forthcoming with details on how the project sites will be filled. It does not appear that the applicant has filed any type of

Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan or an Illicit Discharge Compliance Statement, as required by Massachusetts Department of Environmental Protection (DEP) regulations. No plans for the two community septic systems have been filed. No detailed cut and fill plans have been filed. The applicant apparently does not intend to file for Massachusetts Environmental Policy Act (MEPA) review, telling the Board of Health recently that the project is “too small” to trigger MEPA. This is notwithstanding that the curb cut and modification of utilities on West Street will require MassDOT approval, a Stormwater Pollution Prevention Plan (SWPPP) will be required as part of an NPDES Construction General Permit, and the entire site feeds an aquifer that is the principal source of drinking water to 130,000 people. The applicant’s assessment may be correct, but it should explain to the Commission for the record why no MEPA review is warranted in this case. If the applicant has received a written determination that no MEPA review is required, that should be filed with the Commission. Also, the applicant has not demonstrated compliance with Wrentham’s Aquifer Protection District Bylaw or zoning and general bylaws governing earth removal.

From the little information the applicant has shared, we estimate now that there will be approximately 4,500 truckloads of fill, assuming 15-yard trucks, with all the associated noise, dust, traffic disruption, diesel fumes, erosion, possible damage to infiltration basins, on-site and off-site runoff and pollution, and public roadway degradation. **Projects that require that much fill in a wetland resource area are unsuitable for the site, period.**

The fill will raise existing site elevations in portions of the development areas by up to 6-8 feet, in some cases almost right up to property lines and resource area boundaries. The units will tower over existing homes on Hancock Street. Water always finds the lowest level. The applicant states, with no supporting documentation, that fill will be held in place by three proposed retaining walls, none of which has yet been certified by a structural engineer — one wall in close proximity to the 200’ outer riparian zone on the southwest, one near the 50’ no disturb zone on the west, and one near abutting properties on the north. The application states that construction may take place over 18-24 months. We and our neighbors will be living next to a major construction site for up to two years.

What the applicant proposes is nothing less than a recipe for disaster. The units will be built on slabs over several feet of fill on two wet sites. Loose fill will wash out in heavy rainfalls. A relatively flat site now will, after filling, have severe grade changes, channeling water into newly-created valleys in unpredictable ways, and with no demonstrated ability to manage that water and keep it off abutting properties. When the fill is compacted, it will alter groundwater levels and change drainage patterns — impacting not only the project sites, but also the underlying aquifer and abutting properties. This is even more predictable because the applicant is not taking into account the substantial and increasing amount of stormwater flow onto the sites from higher elevations. As one abutter aptly put it: “They are trying to build two housing developments in an underground river. What could possibly go wrong?”

Equally important, who cleans up the problems left behind if the applicant's optimistic predictions that "nothing will go wrong, trust us" prove to be incorrect, and the developer is long gone and hard to find? The Homeowners Association (HOA)? Many of them operate on a shoestring budget. The taxpayers of Wrentham, as happened on Madison Street (Ledgeview)?

Please consider also that one of the direct abutters is the Sheldonville Fire Station. The taxpayers of Wrentham have spent considerable money in the past few years renovating that Station for expanded use. What if it is damaged or its public safety operations compromised by these projects?

3. We respect the experience and training of the applicant's engineers. But their calculations and predictions are snapshots, based on present data, models and assumptions. If any of those inputs change, the output changes accordingly. The acceleration of climate change alone is rendering current models and assumptions questionable. Public health officials with their own impressive credentials and experience were unable to accurately predict the trajectory of Covid-19. Economists with impressive credentials and experience were unable to accurately predict inflation. There are few if any engineering certainties. Would the applicant's engineers, or any other engineer, be willing to personally guarantee their predictions? Of course not.

There have been several engineered projects in Wrentham where problems were not supposed to arise, but did. The Fiske Library parking lot was never supposed to become a giant sinkhole, but it did. The rear portion of our property and other properties on West Street were not supposed to flood every year immediately after Gold Street was constructed, but they have. Our sump pumps now can run up to six months a year. We have lost several large shade trees to root rot. The "won't happen" happened. How much is the Town willing to gamble that it "won't happen" again?

For some graphic examples of what can go wrong, please read Exhibit 23 on the Planning Board's document list ("projects under review") for 20 Hancock Street, submitted by William and Rebecca Zitomer.

While I am not an engineer, I am familiar with the calculus of risk. Where the potential adverse impacts if things go wrong are catastrophic, it is prudent to err on the side of caution, even if you think the statistical risk is quite small. Our neighbor Janet Sozio (1171 West Street) has been told by her insurance company that the only way to protect her property against damage caused by flooding from these developments is to purchase flood insurance, at a cost of several thousand dollars a year. Why should she or anyone else have to do this to allow a developer to maximize its profit?

4. We ask also that the Commission carefully consider the letter dated July 18, 2022 from the direct abutter Pawtucket Water Supply Board (PWSB). The project sites

are in the Wrentham Watershed Protection District and Aquifer Protection District (APD). The APD imposes limits as to the amount of a lot that can be rendered impervious, sets forth design and operational requirements for on-site sewage disposal systems and septic loading, and (with limited exceptions) includes a prohibition on earth removal within 10 feet of historical high groundwater. Please consider also that the November 2021 Wrentham Water System Master Plan identified an urgent need in Wrentham for a new Town Well serving West Wrentham. These sites have been identified in the current APD Map as areas of “potential medium/high yield.” **There are no other similarly identified areas west of Ellery Street.**

In reviewing the list of PWSB’s “primary concerns,” we fail to see how they can be addressed adequately by conditions of approval. The problem, as always, is how are those conditions monitored and enforced, and by whom? The Town of Wrentham is stretched thin to be in the enforcement business. I can tell you from legal experiences with HOAs that condominium bylaws are unevenly enforced and can be waived or amended. (The applicant has not shared proposed condominium bylaws.) HOAs are reluctant to be asked to police local permit conditions, especially where it involves off-site monitoring as suggested by PWSB. Abutters other than PWSB likely would not have legal standing to enforce permit conditions imposed for the benefit of PWSB. It will be difficult for PWSB, located in another state, to monitor compliance effectively. Our concern is that there will be little or no effective real-world oversight or enforcement, possibly jeopardizing the drinking water of a population more than ten times that of Wrentham. Few if any undeveloped sites in Wrentham could possibly generate such serious potential impacts. In making your decision, please consider the truly unique characteristics and hydrogeology of these project sites.

5. We ask the Commission to review the comments on stormwater management/site plans received from **all** other peer reviewers: Beals and Thomas, Inc. (“BTI”) for the Planning Board (Exhibit No. 16 on the Planning Board’s document list) (“plans under review”); Professional Services Corporation, PC (“PSC”) for the Board of Health (enclosed) and PVI Site Design (“PVI”) for the abutters Sozio and Jones. The Town is fortunate to have received input from so many credentialed peer reviewers. The fact that different reviews were done for different Boards or abutters should not prevent all reviews from being considered by all Boards with concurrent jurisdiction as to stormwater management. You will see that BTI, PSC and PVI all identified many significant inconsistencies and discrepancies, missing information and specific items of non-compliance with DEP and Town of Wrentham stormwater regulations.

PVI concluded that “we do not believe the applicant has provided adequate information for the Conservation Commission to make a determination on the project and, as presented, the project potentially creates substantial negative impacts in the Watershed and Aquifer Protection Districts, surrounding neighborhood and resource areas.”

It has been extremely frustrating for concerned residents to follow proceedings where so much information and detail is still missing, and the applicant's team keeps responding to questions with "we'll get back to you on that," but seems not to do so. We respectfully ask the Commission to make no decisions on these projects until the applicant has provided **all** necessary and appropriate information for you to thoroughly assess every impact. There is too much at stake here for too many people.

6. In enacting the Wrentham Wetlands Protection Bylaw, the voters of Wrentham gave this Commission not only the authority but the responsibility to go beyond the Massachusetts Wetlands Protection Act (MGL c. 131, sec. 40) with respect to protected interests. The Bylaw (Article 7.31, Section 1) requires the Commission to consider impacts on **surrounding land, homes and buildings; wildlife habitat; agriculture; historic and natural scenic character of wetland resource areas; erosion and sediment control** (emphasis supplied). Adverse impacts to those interests are not easily quantifiable with engineering data. But they define the interests and values that make Sheldonville and West Wrentham what they are, that brought and kept most of us here. That historic and scenic character, and the remaining farms, contribute not only to our character and identity, but also to our local economy.

In announcing the Town's upcoming 350th anniversary celebration, Town Administrator Kevin Sweet stressed Wrentham's "rich history." Sheldonville is a big part of that history, notably the Sheldon and Nash boatbuilding operations in the mid-1800s. A Sheldon boat is displayed at the Mystic Seaport Museum. A few years ago, I had occasion to contact on behalf of a client a naval architect in the San Diego area. When I gave him my Sheldonville mailing address, he said, "Oh, the Sheldon boats. I studied them in school." The site now proposed for development was part of the Sheldon and Nash boatbuilding operations, because of the abundant water there and nearby for testing. **Most of the direct abutters on West and Hancock Streets live in historic homes or buildings that were built in the mid-1800s as part of the those boatbuilding operations.** The same is true for many other nearby homes, including ours, which dates back to 1846. Those houses have survived for 170 years, fieldstone foundations and all, because those who came before us knew how to manage and co-exist with water. They knew also that some sites are best left undisturbed. We want our homes and all they represent to be passed down, intact, to many future generations of Wrentham residents.

Thank you for your consideration.

/s/

/s/

Richard T. Rook

Diane G. Rook

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