

RECEIVED

DEC 27 2021

Town of Stow
Zoning Board of Appeals

Ulrich Thomann, Ph.D.
Nicole Stange-Thomann, Ph.D.
128 South Acton Road
Stow, MA 01775

December 26, 2021

Zoning Board of Appeals

Mark Jones, Chair
William Bryon, Member
Ernie Dodd, Member
David Hartnagel, Member
Karen Kelleher, Administrative Assistant

Town Building
380 Great Road
Stow, MA 01775

RE: 122 South Acton Road - Special Permit Application: Project Issues and Concerns

Dear Chair and Members of the Zoning Board,

We own the property at 128 South Acton Road, directly downhill and East of 122 South Acton Rd., with our house being located close to the property line. As the closest neighbors, we are most immediately impacted by the proposed construction of a swimming pool and deck directly uphill of us. We are writing this letter to voice our concerns about this project, based on the information provided to us to date and only by the Town of Stow (Notice of Public Hearing).

Our major concerns are:

1. Overflow and leakage of water

Our property lays downhill of the proposed swimming pool. If the pool should develop a leak or if water from the pool should spill over, the risk of flooding of our property is imminent. The damage will not only be to the house foundation, but also to the electric switchbox which is located right at the corner where the water could enter our basement. The oil tank is also located next to the switchbox.

Questions:

Is the proposed pool inground or above ground?

What is the exact size and shape of the pool?

Who is performing the construction? A professional qualified pool builder who knows what he should be doing (or not) in this location or is it a DIY project?

How large is the affected area (digging plan)?

Is there a grading plan available that shows elevation levels on the property in question (compared to our own property, and which is specifically dealing with potential runoff from water into surrounding areas?)

How is the water being managed when the pool will be drained in winter? Where does the water go?

2. Ground Water Level (Well Water Level)

High water usage (i.e., filling of the pool) can have a big impact on ground water storage and well water level in the surrounding area. This may, in addition to an already existing lawn irrigation system, have an impact on the existing ground water level.

Questions:

How will the water be sourced for the pool?

What is the impact of the construction and the use of the proposed swimming pool on the water table (natural underground water supply) in our area?

Will the natural underground water supply suffer and result in an inadequate supply and low water pressure for drinking and household purposes?

3. Pollution

a. Disinfection Materials and Disinfection By-Products (DBPs)

Pools require chlorination for maintenance. Chlorine, if not properly dealt with, is a health and environmental hazard and can inflict serious damage to surrounding soil, plants and wildlife. Spilled and/or leaked chlorine can contaminate the ground water and thus affect our well water. Chlorine treatment also is accompanied with a noticeable odor, even it is dealt with properly, which will most likely inhibit us from using and enjoying our patio. Living in a healthy natural environment is one of the reasons we moved to Stow.

Questions:

Where are toxic or hazardous materials stored? Above ground or indoor?

b. Noise - Levels and Persistence

Noise exposure is considered a stressor that may potentially exert negative health effects among the exposed individuals.

The construction of the proposed pool and deck will likely cause elevated noise levels, persistent and above the acceptable level, and disruption over an extended time period. During previous construction and landscaping projects on the 122 S. Acton Rd lot, we were significantly impacted. We were not even able to enjoy being in our house due to unacceptable persistent construction noise for 12 hours each day, over a prolonged time period.

Questions:

Will the construction of the pool require any blasting and/or digging?

Where will the pool filtration system and/or pump system be located?

Will acoustic shielding be installed? Will it be enclosed?

Will a quieter pump model be installed?

Will the noise be restricted to certain hours of the day or certain days?


CONCLUSION:

Our biggest concerns are (i) the negative impact of the proposed pool and its use on our property's intactness (and value) and on our ability to use and enjoy our property, and (ii) the adverse impact of the proposed project on the immediate surrounding environment (water, soil, plants and wildlife). We oppose to absorb any potential negative impact of the applicants' proposal on our property and our quality of life.

Therefore, the applicants should be required to prove that the proposed project will not be detrimental to our property and its immediate environment. We request an independent professional evaluation (in-person) of the applicants' proposal and its impact on our property. This includes an official record/statement or the re-measurement of the actual property boundaries. The applicants shall be responsible for the costs incurred. This evaluation shall take place prior to approval of the special permit request.

Thank you for your consideration of this matter.

Sincerely,


(Ulrich Thomann)


(Nicole Stange-Thomann)