

Jeanne Guthrie

From: Bob Murchison <bob.murchison@me.com>
Sent: Thursday, February 08, 2024 11:19 AM
To: Julie Dreyfus
Cc: Matthew Bevers; Daryl Beardsley; 'Paul Haverty'; Jeremy Marsette; Jeanne Guthrie; Ellen Hartnett
Subject: Greenwood Vote on BOH Waiver Requests to ZBA

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Hi Julie,

Please see below the link to the BOH meeting on January 3, 2024.

[Sherborn Board of Health Meeting January 3, 2024 \(youtube.com\)](#)

The BOH discussed, moved, and voted to ask the ZBA to deny four distinct waivers to local health regulations. Despite one member's opposition, the BOH fully discussed and declined to request any other waiver denials. While the entire discussion begins at 1:23:00 of the video, the final discussion, motion, and vote occurs between 1:47:00 and 1:50:00.

The BOH voted to request the ZBA deny waivers of the following four local regulations:

- Well construction be compliant with local regulations (Section II, 3.0, 4.0, 5.0, 14.0 and 16.0).
- Water quality testing be compliant with local regulations (17.1, 17.2, 17.3, 17.4 and 18.0).
- Water quantity testing be compliant with local regulations (Section II, 11.1, 12.0).
- Going forward no more than one well per property (Section II, 7.0).

BOH met again on January 17, 2024, but did not further discuss or vote on this topic.

On February 5, 2024, the BOH submitted a letter (during the time of the ZBA hearing) which requested that the ZBA deny waivers reaching well beyond the discussion and vote of January 3, 2024. The applicant was not able to review the letter until after the close of the hearing. It now appears that two members of the BOH added additional BOH waiver requests to the ZBA without consultation, a meeting or a new vote of the full the Board. In addition, the applicant was not notified of this important change.

The letter from BOH requested the ZBA deny the following waivers which were discussed intentionally omitted from the BOH vote of January 3, 2024.

- **Section 1, 7.1 Leaching area size related to bedroom and room count.**
- **Section 1, 10.1 Well distance to septic system.**

I am deeply troubled with these facts.

Bob Murchison

Fenix Partners Greenwood Street Development, LLC