

**Jeanne Guthrie**

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**From:** Bob Murchison <bob.murchison@me.com>  
**Sent:** Friday, January 03, 2025 10:50 AM  
**To:** 'Zachary McBride'  
**Cc:** Zach McBride; Jeremy Marsette; Jeanne Guthrie; 'Paul Haverty'  
**Subject:** EHIR Applicability Requirement of Sherborn BOH on Affordable Housing: Section 3.1.g  
**Attachments:** EHIR Requirement Applicability Sherborn BOH.pdf

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Hi Zach,

As previously stated and discussed at the last ZBA hearing, Brush Hill Homes does seek a waiver from the Sherborn BOH Section 3.1.g which requires the submittal of an Environmental Health Impact Report by a development seeking a Comprehensive Permit under MGL Chapter 40B.

It is important to note that the **only applicable trigger** for Brush Hill Homes is Section 3.1.g (40B). This requirement is not triggered for the four single family Brush Hill Homes project under Section 3.1.a through f and 3.1.h which set multiple density thresholds including 10 dwelling units and 2,000 gallons per day of design sewage (see attached pdf).

**This exact project design would not be subject to the EHIR requirement if it sought a Special Permit under Sherborn Zoning 240-5.6 Residence EA District: Multi-Dwelling projects (e.g, Abbey Road).**

Sherborn BOH Section 3.1.g is a unique requirement applied only to affordable housing developed under Chapter 40B.

Bob Murchison

**(23) REGULATION III, PUBLIC AND ENVIRONMENTAL HEALTH REVIEW REGULATIONS AND STANDARDS FOR SELECTED SITE DEVELOPMENT ACTIVITIES OR OTHER SPECIAL CONDITIONS, OR FOR OTHER THAN A SINGLE-FAMILY DWELLING ON A SINGLE LOT:**

3.1 ENVIRONMENTAL HEALTH IMPACT REPORT ("EHIR")

Any of the following activities requires submittal of a complete EHIR to the Board of Health:

- N/A** a. An application to construct ten (10) or more dwelling units served by an existing or proposed private way or by a common driveway, right-of-way, or traveled way;
- N/A** b. An application for approval of a subdivision plan;
- N/A** c. An application for approval of an Open Space Residential Subdivision under the Town of Sherborn Zoning Bylaws, Section 4.5;
- N/A** d. An application to construct a commercial or industrial building with a gross floor area exceeding 7500 square feet;
- N/A** e. An application for all or part of a project with a design sewage flow of 2000-gallons per day or greater;
- N/A** f. An application for approval of a Planned Unit Development (PUD) Special Permit as set forth in the Town of Sherborn Zoning Bylaws, Section 4.6;
- Yes** **N/A** g. An application for approval of a Comprehensive Permit under M.G.L. c. 40B, s. 20-23; and/or
- N/A** h. Any plans that involve removal of sod, loam, clay, sand, gravel, stone (whether quarried or not) or other natural material from the premises of a property or project exceeding a volume of 350 cubic yards in total.

The EHIR report shall not be accepted for review by the Board of Health unless such report meets the criteria required by this and all other applicable Board of Health regulations that provides specific information relative to the operation of the proposed sewage treatment and disposal systems, including soil conditions, surface drainage calculations, hydrogeologic descriptions of groundwater resources and movement, effects of precipitation, and wastewater treatment methodology. None of the activities listed in this Section 3.1 may commence until the Board of Health has completed its review of the EHIR and, if required by this Section, an Environmental Health Permit has been issued.

[No changes proposed to the final two paragraphs of this section, both starting with "In accordance with ..."]

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3.2 ENVIRONMENTAL HEALTH PERMIT

The applicant for any project that meets the criteria stated above shall be required to obtain an Environmental Health Permit from the Board of Health.

**(25) REGULATION III, PUBLIC AND ENVIRONMENTAL HEALTH REVIEW REGULATIONS AND STANDARDS FOR SELECTED SITE DEVELOPMENT ACTIVITIES OR OTHER SPECIAL CONDITIONS, OR FOR OTHER THAN A SINGLE-FAMILY DWELLING ON A SINGLE LOT:**