

## Jeanne Guthrie

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**From:** Bob Murchison <bob.murchison@me.com>  
**Sent:** Tuesday, January 21, 2025 11:09 AM  
**To:** Julie Dreyfus; Daryl Beardsley  
**Cc:** Jeremy Marsette; 'Bert Corey'; 'Kevin Riopelle'; mark.bartlett@stantec.com; brandon.gallagher@stantec.com; Jean Greco; 'Paul Haverty'; Zach McBride; 'Zachary McBride'; Jeanne Guthrie  
**Subject:** RE: Brush Hill Homes Response to Stantec Review of Title 5 Application

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Thanks Julie. We are appreciative that Stantec has responded with comments quickly so that the BOH and ZBA have them available for the meeting tomorrow evening.

Please see below (in green) our responses to the remaining material issues you identified (including Stantec's comments):

- **#13 Stantec:** The Applicant has indicated that the proposed subsurface disposal system will be serving a Condominium and therefore it is not technically a "shared system" per the above noted regulation, nevertheless all legal documentation for ownership and for operation and maintenance responsibility will need to be provided, and we believe that the form of ownership documentation should include providing a "*condominium master deed*" 2. We recommend that the Board consult with Town Counsel and MassDEP for more clarification on this issue and for assurances that the Condominium will adequately operate and maintain the septic system and provide reserve funding for replacement of the system field and components in the future. Brush Hill Homes will provide the BOH with a copy of the condominium Master Deed once it is drafted and available. The system will be owned and operated by the condominium association which is required by MA law to carry reserves for this type of maintenance, repair, and replacement. An operation and maintenance document will be provided to the condominium association and buyers at purchase. All the above steps were carried out when Abbey Road (market rate) was developed by Fenix Partners in Sherborn.
- **#15 Stantec:** As stated in our comments above, we ran Hantush mounding analyses for both original design conditions and latest design conditions to provide the Board with better perspective and understanding of the issue raised by the abutters' consultant (Horsley), and not as approval or dismissal of the project or of the mounding issue in general. With its understanding of Sherborn's local concerns, should the Board feel empowered to pursue the issue of SAS groundwater mounding further either with or

without ZBA concurrence, then our recommendations as stated in Comment 16 below should be pursued with the Applicant. We also suggest that the Board consult with Town Counsel and MassDEP for more clarification on this issue.

We are in complete agreement with Stantec's original comment that "*Mounding analysis is not required by either Title 5 or BOH Regulations for systems with flow less than 2,000 gpd*". Our proposed system is 1,320 gpd which is 33% below the threshold which triggers the analysis.

I will ask DGT to attend your meeting. Will Stantec also be in attendance?

Bob Murchison  
Fenix Partners Brush Hill, LLC  
(617) 308-1961

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**From:** Julie Dreyfus <julie.dreyfus@sherbornma.org>  
**Sent:** Tuesday, January 21, 2025 9:20 AM  
**To:** Bob Murchison <bob.murchison@me.com>; Daryl Beardsley <Daryl.Beardsley@sherbornma.org>  
**Cc:** Jeremy Marsette <jmarsette@sherbornma.org>; 'Bert Corey' <bcorey@dgtassociates.com>; 'Kevin Riopelle' <KRiopelle@dgtassociates.com>; mark.bartlett@stantec.com; brandon.gallagher@stantec.com; Jean Greco <jean.greco@sherbornma.org>; 'Paul Haverty' <paul@bbhslaw.net>  
**Subject:** Re: Brush Hill Homes Response to Stantec Review of Title 5 Application

Hi Bob,

Attached is the 2<sup>nd</sup> response memo from Mark Bartlett. I believe the BoH has been sending these review memos to the ZBA, just as updates. Correct me if I'm wrong about that. I'll send this to Jeanne for her to distribute.

In my read it looks like a number of comments have been resolved. I would anticipate comments #13 and #15 to be the main points of discussion at the BoH meeting on 1/22. It would be helpful to have a representative from DGT present at Wednesdays meeting, if possible.

In terms of arranging a discussion between Mark Bartlett and DGT, that should be possible. I expect the meeting would be most productive after the BoH meeting this Wednesday. If you can determine DGT's availability and come back with a few dates and times, I'll check with Mark and see if he has availability.

Reviewing 34 Brush Hill around 8:15 or 8:30pm will work well on the agenda.

Thanks,  
Julie

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**From:** Bob Murchison <bob.murchison@me.com>  
**Sent:** Thursday, January 16, 2025 6:34 PM  
**To:** Julie Dreyfus <julie.dreyfus@sherbornma.org>; Daryl Beardsley <Daryl.Beardsley@sherbornma.org>