

**TO:** **Sherborn Zoning Board of Appeals**  
**FROM:** **Daryl Beardsley, 54 Forest Street (also a BoH Member)**  
**DATE:** **February 11, 2025**  
**RE:** **Clarification on Brush Hill Homes Waiver Recommendations**

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*I am submitting these comments as an individual, not on behalf of the entire Board of Health (BoH), because there has not been an opportunity to convene the Board to consider ratifying this communication.*

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In its January 31, 2025 memorandum to the ZBA, the BoH provided recommendations and associated guidance about waivers for the Brush Hill Homes 40B project.

I would like to make it clear that my votes in favor of recommending waivers to I.8.0(1) and I.8.0(2) were dependent upon implementing the compensating conditions, as indicated in the waivers' table (page 3 of 7, "See Recommended Conditions"). The associated conditions for these two waivers are presented on page 7 under "Minimizing Negative Impacts to Drinking Water Quality". It is necessary to counterbalance these waivers that have been recommended **ONLY** due to the 40B status and goals of this project. From Sherborn's perspective as a town with co-located septic system discharges and drinking water sources, the proposed soil absorption system does not have the enhanced protections that our local regulation provide and are appropriate to our setting. These compensating conditions are the best we could identify under the circumstances.

Please read the "Background to BoH Recommendations" on page 3 for information on the reductions in treatment of septic system effluent that are expected to result from the Title 5 minimum of 4-foot depth to groundwater (versus Sherborn's 5-feet) and the use of a mounded system with Title 5 fill (versus Sherborn's naturally deposited soils). The suggested conditions' elements can help to reduce the contaminant burden resulting from the overall use of the site, which in turn helps to protect drinking water quality. Furthermore, these measures are neither costly nor complicated.

My votes in favor of the waivers to II.6.0(G), II.7.0, and III.3.1 were made for the practical, procedural, and other reasons as stated in the memorandum.