

**Citizens Action Committee
Post Office Box 112
Sherborn, MA 01770**

January 26, 2016

Board of Health
Town of Sherborn
19 Washington Street
Sherborn, MA 01770

RE: The Fields at Sherborn

Dear Members of the Board of Health:

We are writing to address two reasons why we believe the Fields at Sherborn development, as currently proposed, will exceed the septic discharge limit allowed by Title 5, which is a basis for denial of that permit.

From its revised plans submitted December 11, the Applicant is claiming 76 bedrooms, which at the statutory rate of 110 gallons/ bedroom/ day gives a design flow of 8,360 gallons per day of septic discharge.

For the purpose of calculating discharge rates, Title 5 defines an acre as 40,000 s.f. (vs. 43,560 s.f. for a conventional acre). At the statutory 440 gallons/ acre/ day limit, the Applicant's total land area of 17.55 acres would initially suggest the aggregate limit is $17.55 * 43,560 / 40,000 * 440 = 8,409$ gallons per day. At first it appears the design flow is just under the limit, with less than 0.6% margin.

However, the area of impervious road surface is specifically excluded from the eligible land area. 310 CMR 15.216 (1) states the Applicant must comply with MA DEP "Guidelines for Title 5 Aggregation of Flows and Nitrogen Loading." This document, revised 2/11/15, in turn states on page 5:

"The 440 gpd per acre equivalency standard also applies to residential subdivisions. The 440 gpd per acre limitation must be met over the entire area, minus the roads. The road areas are excluded from credit since imperviousness of the paved roads prevents recharge to the groundwater."

The Applicant initially submitted a document "Section 10: Tabulation of Proposed Buildings" in which it shows 1.19 acres allocated to "Surface Parking and other Paved Surfaces". When this is subtracted from the 17.55 acre total, the maximum allowable flow rate becomes 7,839 gallons per day.

Furthermore, all of the land being claimed as credit must be shown to be downgradient of the septic discharge. The *Guidelines* state on page 7:

"If the facility is in a private well area, nonfacility credit land must be: ... adjacent and downgradient of the impacted area of the discharge for a facility where the design flow is 2000 gpd or greater."

While we know the flow is generally to the south, the Applicant has not shown that all of its 17.55 acres are downgradient. If even 1% is not (for example, the northeast corner adjacent to Washington St.), then the design flows will exceed the allowable limit.

Best Regards,

Michael Barberio
Charles A. Morris, M.D., M.P.H.
Addie Weiss

For the Citizens Action Committee