



BOARD OF HEALTH MEETING

July 19, 2016: Minutes

Members Present: Patricia Bergeron, James Butterick, William White

Others Present: Ade Solarin-Health Agent, Frank Daly, James and Deborah Brown, Eric Peters, Ted Vangerven, Mike Santoro

APPOINTMENTS:

10:00: Minute approval for 6/7/2016, 6/21/2016 and 7/5/2016 meetings

Member White motioned to approve minutes for 6/7/2016.

Member Butterick motioned to approve minutes for 6/21/2016 with noted changes.

Member Butterick motioned to approve minutes for 7/5/2016.

Motions were unanimously approved.

10:05: Review with a Health Agent

Health agent reviewed the agenda with the Board of Health and suggested to proceed to the next appointment.

10:10: 117 County Road M. 12 P.64

Ms. Brown is seeking permission to make her house a 2 bedroom house and to create a 1 bedroom lot

- **James Brown:** We subdivided our lot into three different parcels after DCPC regulations were adopted. That regulation restricts us from building on two of those lots. We are here to seek permission to remove one bedroom from existing house and build 1 bedroom dwelling on one of the created lots.
- **Health Agent:** That issue was presented to the Board of Health before. Previous Health Agent asked for Towns Council's guidance on that matter. I would advise Board of Health Members to stick with previous decision by Town Council.
- **James Brown:** Last time we asked whether Lagoon Pond DCPC regulations permit construction of an additional one bedroom house. Michael Goldsmith responded that Lagoon Pond DCPC Regulation limits the maximum number of bedrooms on the site to three, whether it is one lot or three lots. Based on that response we believe that we should be permitted to create a one bedroom lot by removing one of the bedrooms from the main house.
- **Member Bergeron:** This request seems different from the one before. I think we should ask for Town Council's opinion and clarification of previous decision.

Member White motioned to seek Town Council's guidance on this matter.



10:20: 13 Maple Avenue M 8 P.47: Re Variance Request

Update on septic plan presented to BOH during previous meeting

- **Health Agent:** On July 7th, Board of Health members motioned to approve presented variances on following conditions: Plan will be turned in for the revision and surveyor's stamps will be required or not required based on the Code. I would like to present quote from the code: "Every plan for a new system or plan for the upgrade or expansion of an existing system which requires a variance to a property line setback distance, must also reference a plan which bears the stamp and signature of a Massachusetts Licensed Land Surveyor in accordance with M.G.L. c. 112, § 81D"
- **Member Bergeron:** According to the Code the septic plan for 13 Maple Avenue must include a surveyor's stamp.
- **Health Agent:** I would recommend Board of Health Members to withdraw conditional approval and review corrected plans and application after it is been resubmitted.
- **Member White:** I think it will be the right decision.
- **Member Bergeron:** We will be expecting you to submit a revised plan that does not include any handwritten remarks. Plan must be stamped by a licensed land surveyor.

Member Butterick motioned to rescind previous conditional approval of variances for 13 Maple Avenue. Motion was unanimously approved.

10:25: 240 Newton Road M.13 P. 34.1

Amy R. Goldson would like to appeal Health Agents denial of building proposal for property stated above

- **Amy R. Goldson:** I'm the owner of 240Newton Road. Since I bought the house in 1992 no structural changes have been done to it. My building application got denied because my current septic capacity can only accommodate 4 bedrooms. I have letter of certification stating that my property met the conditions to comply with sale and transfer wastewater regulations. This letter indicates that it is a 6 Bedroom Dwelling.
- **Health Agent** I would recommend Board of Health Members to deny this appeal. A septic upgrade is required. The property is fully located in Lagoon Pond DCPC, fully located in Coastal District and partly in Flood plain. It is a 6 bedroom house with a 4 bedroom septic capacity. I won't be able to sign off on building application.
- **Member White:** How can we resolve this issue?
- **Health Agent:** Septic System Upgrade.
- **Member Butterick:** Considering location of property I think it would be problematic.



- **Amy R. Godson:** I relied on BOH when I was buying this house and would not want to make any changes to it.
- **Member White:** I would be fine signing off on building application.
- **Member Bergeron:** I'm fine with it too. However, you should be pumping your septic system every 2-3 years as it says on letter of certification.

*Member Bergeron motioned to sign off on building application for 240 Newton Road.
Motion was unanimously approved.*

10:35: Ducharme & Dillis 27 Winthrop Avenue; Re: Variance Request
To allow the leaching system to be less than 10' from garage slab.

- **Health Agent:** This is a revised plan with a variance request that was previously approved.

*Member White motioned to approve the requested variance for 27 Winthrop Avenue.
Motion was unanimously approved.*

10:40: 10 Namas Avenue M. 1 P.22; Re: Variance Request
To reduce the required separation between the proposed sanitary disposal facility and several neighboring sanitary disposal facilities from 300' down to a minimum 50'± (closest)

- **Health Agent:** This is also a revised plan with a variance request that was previously approved.

*Member White motioned to approve the requested variance for 10 Namas Avenue.
Motion was unanimously approved.*

10:45: MVC Re: Lagoon Ridge Project
Review of MVC's written decision on Lagoon Ridge Subdivision Development and signing of on-site sewage disposal system plan prepared for Lagoon Ridge

- **Member Bergeron:** During a previous meeting, we agreed to review and sign septic plans for Lagoon ridge Project based on the final decision of MVC.

*Member Bergeron motioned to approve the on-site sewage disposal system plan prepared for Lagoon Ridge based on MVC conditions.
Motion was unanimously approved.*



11:00: 90 Forest Avenue M. 22 P.41.1

Zone II violation: Lot can only have a one bedroom sewage disposal system according to 105 CMR 310

- **Health Agent:** The septic application for this property was approved by previous Health Agent. The plan that was approved was designed for a 1 bedroom house with septic capacity for 4 bedrooms. During recent septic inspection I observed different system from what was approved. Number of infiltrators did not match. Usually for this type of change you have to turn in a revision to the Board of Health for approval. No revision was turned in. This property is located in Zone 2, its 10,000 sq.f. Septic capacity should not exceed a 1 –bedroom capacity. This is a state violation which can carry a huge fine.
- **Member Bergeron:** If what we have on record is different from what was installed it is a violation.
- **Ted Vangerven:** According to Title 5 there is minimum size leaching field that is what I'm installing.
- **Health Agent:** In Zone 2, a one-bedroom house can have only a one-bedroom septic system. Please feel free to contact DEP Representative Brian Dudley if you need clarification on this regulation.

BOH Members advised Mr. Vangerven to obtain written statement from Brian Dudley regarding regulations on installation of septic system with more than one bedroom capacity in Zone 2 for 11,000 s.f. lot.

11:10: MV Sharks Baseball Complaint

Egregious food code violations reported at facility. Possible closure

- **Health Agent:** We received multiple complaints regarding sanitary conditions at the facility.
- **MV Sharks General Manager:** We are fixing some of those violations as we speak. Hand sanitizers are being installed at this moment. Food truck has running water and employees are able to wash their hands. We have a three bay sink and handwashing sink.
- **Mike Santoro:** I would like to say that MV Sharks is doing everything possible to address all existing and possible issues. I hope BOH will keep working with them.

BOH Members instructed MV Sharks General Manager to keep working on fixing those violations and contact BOH office with any questions.



HEALTH AGENT:

VNA contract for New Fiscal Year

BOH Members reviewed and signed VNA contract for Fiscal Year 2017.

Member White: Motioned to adjourned

Respectfully submitted by,
Alexandra Kral, Administrative Assistant