

Board of Health Minutes  
May 7, 2007

6:30 Meeting Convened with the following members present: Chairman, Glen Hathaway, Patrick Durkee, Tom Flanagan, and Jim Garreffi of NABOH

Agenda Approved

Minutes Approved

Septic permits:

Pauline Sullivan 20 Hosley Rd. Lot A            approved

Peter Roose Hardy Rd. Lot 2                    approved

Dumpster permit: Town of Ashburnham

Appointments:

6:45 Sarah Delisio- Bio Terrorism Region II-Emergency Preparedness

Sara delivered a poster board with several other posters

She discussed recommended on-line training and a plan for providing deliverables (minimal standards that that BOH members need to acquire

BOH was asked to Identify a public information officer as contact for Emergency

Preparedness

BOH asked to update contact list for Emergency Preparedness

Jim Garreffi, Scott Sibley, Tom Flanagan will be primary contacts

\*7:00 Wayne Adams-

Wayne Adams, Terry Adams, Debbie Phillips (town counsel)

Dumpster complaint hearing.

1. Mr. Adams believes that there was no board meeting to discuss the removal of the dumpster

He claims Waste management has had no permit for the dumpster, and while he has been trying to get rid of the dumpster for two years, he could not because of the lack of permitting???

The dumpster has been removed according to Mr. Adams.

The BOH withdraws the order and Jim Garreffi will send Mr.Adams a letter stating the effective withdrawal.

2.

Town counsel Deb Phillips, was present.

Glen Hathaway reviewed attached letters that had been previously sent to Mr. Adams

Mr. Adams has stated that the Judge ordered Bill's to make a settlement agreement for a removal of the dirt in his septic if they obtain regulatory authority from the Board of Health. The Adams' are under a time constraint to remove the dirt, but the BOH requires that they must have a sewage disposal system that is in compliance with title 5

Without that system they cannot remove the present system and occupy the house at the same time.

Mr. Adams claims that he tried to initiate the planning of a new system but was stopped by Jim Garreffo during the perk test. Mr. Garreffo stated that he stopped the perk because there was not enough soil at the time; he offered to come back, but Mr. Adams did not follow up. Mr. Adams claims that David Ross (Ross Engineering) stated that he had spoken with DEP and would allow the system to be put in without any further testing. Mr. Adams wants the Board of health to allow the removal of his leach field and entire system before he has a new system in place. The BOH has no objections to the removal of the pile, but he must first have a compliant system in place. The Adams have a 100 day time line from today May 7, 2007 to exercise their options : to remove the pile (which requires having a compliant system in place) or get a settlement from Bill's as a cash payment

Deb Phillips recommended that the ABOH revisit the idea of removing the dirt, keep the tanks, and use them as a tight tank with the approval of a certified engineer . Jim expressed some concern with this option that was offered in the Town Administrator letter of 11/3/05 due to the lawsuit against the engineer of record for the existing system. The Adams made no response to this proposal.

The ABOH stands by its letter of 8/22/05 to Michienzie & Sawin, LLC, that the Adams' must comply with the regulations set forth. (The removal of the pile can only occur when they have a Title 5 compliant system in place).

The Adams' left the meeting saying that all on the Board of Health would receive a summons for something..

### **Glen Hathaway was unanimously voted Chairman for 12 months**

\*7:15 Robert Farley 26 Fitchburg Road-Variance Request

A septic system replacement plan. He is asking for two variances:

1. Ground water offset 4 foot to 2 foot. They are installing a Presby System
2. Percolating actual results to estimated results

**The variance was unanimously approved** and the Board signed a permit for the replacement system.

\*7:30 Augustine Bates- 36 Sunset Drive- Local upgrade approval 15.405(1) (g)- Reduction of system location setback from water supply line required 10ft. to 4.5 ft.

1. Ross associates requests the local upgrade approval

Chance of contamination was considered minimal. Liquid level never gets above the seam of the tank.

**The variance was unanimously approved**

\*7:45 29 Lakeshore Drive –Variance Request

Did not show

Correspondence:

We agree to pay Margaret salary for the end of the fiscal year for providing activity reports.

Adjourned at 8:25