

Ashburnham Board of Health Minutes
July 7, 2008

1. The ABOH convened at 6:40 with the following members present:
Chairman; Glen Hathaway, Scott Sibley, Patrick Durkee, Tom Flanagan, and Rick Metcalf of NABOH
2. The Agenda dated July 7th was approved.
3. The Minutes of the June 2nd meeting were approved
4. Septic Permits approved: none
5. **6:45** MRPC no show
6. **7:00** Richard Gadury, 107 Hunter Ave. Upgrade
Note: see attached green cards
Note: fifty dollar hearing fee submitted (ask Denee about collection, whether or not we should)
Proposed three new trenches, remove old system, install new pump system
Variances requested:
 - a. Reduction from four ft. to three ft. from groundwater
 - b. Reduction from 100 ft. to seventy-eight ft. from isolated wetland

Voted: All approved
7. **7:15** Kenneth Baer, 15 Log Cabin Road Conversion from seasonal residence to full time
No real issues, already has a tight tank. Just wants to change the designation to year-round from seasonal

Voted: All approved
8. **7:30** Whitman and Bingham, 57 Mistletoe Dr. Variance, new construction.
Note: see attached green cards
Note: submitted \$250 permit fee
Variance requested:
 - a. Reduction from 100 ft. to seventy-seven ft. from wetland for primary and reduction to fifty-seven for reserve.
 - b. The board has never granted a variance for wetland distance reduction for new construction; however, this was a unique case in that the state did not recognize the small isolated as parcel as wetland, but the Ashburnham conservation Commission did. The Conservation Commission seemed to have no real issues with the request but left it to the board of health
 - c. Abutter, Paul Ghio, 107 Dunn Rd. was concerned about the mound being built. After reviewing the plans he had no issues

Voted: Three Approved, one Nay (Patrick Durkee)

9. **7:45** James Connolly, 49 Center Variance

Note: see green cards

Variance requested:

Use sieve analysis rather than a perc test.

Voted: All approved

10. **8:00** Steve Glover, Boutwell's Garage, preliminary plan – No show

11. **8:15** Naukeag Hospital

Brian Krivitsky, Hamilton Development, representing David Murphy
Fran Allain, Colonial Construction, proposed contractor to install new septic

Brian Krivitsky came to discuss the ABOH conditions surrounding the implementation of the septic at Naukeag Hospital. Fran Allain conveyed that he has a contract with Hamilton. Krivitsky said there were some hold-ups but David Murphy was ready to begin work today after the permit was issued. Per the agreement with the ABOH and David Murphy the construction of the new system was to be completed by July 29th. Colonial Contracting submitted a schedule of work to be and estimated seventy days from start to finish once the permit was approved. The permits have been approved, but the Board has yet to sign the permits, because of \$28,000 back taxes owed to the town by David Murphy. Under town rules no permit can be issued while taxes are outstanding. Krivitsky stated that Murphy has been unable to sign a new lease with McClean Hospital until the septic is finished. The board indicated that it would sign the permit, but could not be released until the taxes are paid. The board reviewed the original timeline between Murphy and the board and indicated that none of the scheduled timeline events have yet been met. The Board will not at this point revise its July 29th deadline. Krivitsky wondered if the taxes were paid and significant work was seen by July 29th if the board might reconsider revising the timeline. The board assured Krivitsky that they, more than, anyone want to see a new system in place, but gave no definitive answer to his question.

A motion was made to sign the permit contingent on paying taxes, All approved.

12. Rick discussed three options proposed by town consul for the Naukeag dilemma:
- Set a new date and schedule for the work with Murphy
 - File for a temporary injunction from today's date to carry out the existing scheduled plan.
 - Have the town legal consul send a message to the Massachusetts licensing board of health organizations outlining Naukeag's consistent violations and refusal to implement a new plan.
13. Rick received a call from a woman on Main Street who wanted to know what the town was doing about mosquito control and whether or not the town was a member of the North Central Mosquito Control Association. Rick told the woman that Ashburnham had not plans to join, because of the cost.
14. Note: next board meeting will occur on September 8th, get location from Denee

