

Board of Health Minutes August 3, 2009

- 1) The ABOH meeting convened at 6:35 pm with the following members present. Glen Hathaway, Rick Metcalf (NBOH), Patrick Durkee, Scott Sibley and Tom Flanagan Acting Secretary.
- 2) The minutes dated July 6, 2009 was approved.
- 3) The agenda dated 8/3/09 was approved
- 4) Reviewed correspondence
- 5) 6:40 John **Deline**, 73 Fitchburg **Rd, Continued septic variance hearing**
Jim Burgoyne –Fletcher, Tilton and Whipple
Richard Boutwell
Richard Cushing Cushing Jammallo, and Wheeler
John Deline
Wayne & Terri Adams
Deb Phillips Nickless and Phillips P.C.

Before the hearing even began Wayne Adams became verbally very disruptive and was asked to leave the meeting, he refused and the police were called to remove Mr.Adams from the meeting. The police arrived and escorted Mr. Adams from the meeting.

Glen read aloud Deb Phillips conclusion to the questions submitted to the board. Rick produced a document presented to him by the Adams which they felt showed that the site was still contaminated. Deb Phillips stated that the engineering document was not on the record and really should not affect the proposed variances. Jim Burgoyne explained that the site has been closed and that there never was a soil issue, but a potential bedrock ground water issue. The board has no evidence that there is any soil contamination.

The item that bothered the board was the statement that the site was approaching background. According to Deb Phillips there are no legal restrictions for proceeding with a septic permit.

Another thing the Adams brought up was that everyone who was affected by the plan needed to be notified. Since the case has been closed legally there is no need to follow up on this.

Another concern from the Adams was the migration of toxins once the site is opened.

Glen raised the proposal of testing before opening the site. Jim Bugoyne retorted that further testing would be a severe hardship for Mr. Boutwell.

The Board proposed that the LSP be on site when digging begins with a pid meter to determine if there is the presence of any toxins and with the conditions that any material transported off site must be done in accordance with all applicable regulations. All unanimously agreed.

John Deline re-presented the variances:

Offset from leaching form 100ft to 50 ft

Local upgrade reduction groundwater 4ft to 3ft

Local upgrade reduction from the tank inlet to groundwater 12 to 1inch

Scott motioned to approve the variances

Unanimously approved

6) 6:50 Ken **Holmquist**, 142 Ashby **Road progress report**

Could not come in. Rick paraphrased a call from Mr. Holmquist. He was asked to come to the Aug. 3rd meeting. Mr. Holmquist has not yet received approval from the DEP. The board had asked for a water test. Rick asked if the board want to require an annual test on the well. The board will require an annual coliform test and **this restriction must be placed on the deed.**

The board modified he order to appear, and an extension to Sept. 14th to require a basic well scan. The board will require an annual chloroform test.
The Board will allow approval out of meeting when DEP rules on groundwater offset

Scott made a motion for approval
Unanimously approved

7) 7:00 Robert & **Kelly Behringer 275 winchendon Rd**, Variance **reserve between trenches**
Green cards presented

Variance:
Use the reserve area between trenches for a new trench for a fairly new system for the creation of a new bedroom.
It meets title V regulations.

Patrick Motioned to approve variances:
Unanimously approved

8) 7:10 Vince & Cheryl **Dovtdaitis, 66 Lincoln Ave**, Variance **less than 100' to wetlands**

Variance:
Reduce distance of upgraded system to wetland from 100 ft. to sixty ft.

Scott made a motion for approval
Unanimously approved

9) 7:20 Chris **MacKenzie, 11 Hastings Rd**, Local **upgrade approval**

Variance:
Reduction of the minimum separation between the bottom of the leach area and high groundwater 5' to 4' proposed.

Reduction of the minimum required 2 deep observation holes (1 deep hole in the primary area, 1 deep hole in the reserve area was performed, and found to be consistent)

Scott made a motion for approval
Unanimously approved

10) 7:30 Joseph **Solans, Lot 9 Ferin Road**, **Soil absorption system**

Rescheduled for September 14th to notify abutters

11) 7:40 Maureen Connor, 10 Pine Ave, **Local upgrade approval**

Variance for Presby system:

Reduction of the required offset from the foundation to leach area from 20ft. to 11ft.

Reduction from water supply from 10ft. to 7 ft.

Two deep holes per disposal area as required. One deep hole is provide

Board has to approve the use of the 2ft ground water offset with the Presby system. The board will set this a variance. It then must be approved by the state.

Scott made a motion for approval

Unanimously approved

12) 7:50 Northland Engineers for Richard Wheeler 148 Rindge State Road

No show

13) 7:30 Septic **permits**

Grant Maloney 11 Wagg Hill / Approved

Robert Raffi 169 Lakeshore Dr./ Approved

14. Propsoal for new construction, 166 Lakeshore to extend permit for one year

Scott made a motion for approval

Unanimously approved

14) **8:00 Meeting convened.**

Respectfully submitted, Thomas Flanagan
(Acting Secretary)

