

Board of Health Minutes

June 1, 2009

1. The ABOH meeting convened at 6:35 with the following present: Chairperson, Glenn Hathaway, Tom Flanagan, Patrick Durkee, John McLaughlin and Rick Metcalf of NABOH
 2. The agenda dated June 1, 2009 was approved
 3. The minutes were approved of May 4, 2009 meeting
 4. One septic permit signed: Peter Roose, 13 Hardy Rd. Lot 6B
 5. Reviewed correspondence:
 6. 6:40 John Deline, 73 Fitchburg Rd, Variances Requested:
 - a. Setback from wetland from 100 ft .to 50 ft.
 - b. System to groundwater from 4 ft. to 3ft.Abutters, Wayne and Terri Adams
Mr. Cushing from LSP Cushing, Jammallo, and Wheeler , Mr. Boutwell, and Mr. Deline were present.
- Mr. Cushing presented his company's responses to the Board of Health's questions concerning the viability of upgrading the septic system at 73 Fitchburg Rd, prior site of Boutwell's Garage. (See attached responses)
 - In general the document states that even though the site is listed as a disposal site the testing in three wells on the site has shown there to be no contamination in the vicinity of the proposed septic system
 - The Adams' questioned the viability and safety of putting a new system in place. They argued that Cushing, Jammallo and Wheeler stated up front that the "entire" property at 73 Fitchburg was contaminated. They stated that the shelf life of MTBE, the known contaminant on the site is 60 to 90 years. Their concern is that any digging on the site or the flow of effluent from a new system may cause migration of undetected toxins possibly contaminating their property and the property of others down the hill from 73 Fitchburg. Terri Adams noted that from the monitoring of the wells prior to Cushing taking over the site, the site had been deemed an eminent hazard. Because of critical exposure pathways, underground crevices, it is impossible to ever deem the site safe for a new septic system.
 - Mr. Cushing stated that the well testing, even though four years old, had been done over a three to four year period and showed no contamination. Since there was no contamination there was no evidence of migration of toxins or fear of future migrations
 - The Adams' requested that the wells be retested as well as the wells of abutters within 500 ft of the proposed site. Wayne Adams also requested a written letter from the Massachusetts DEP that states that the site is safe for new septic activity. The Adams' felt that this issue must be resolved by a land court.
 - Mr. Adams stated that he was going to dig up his own septic system since it is contaminated.

- The LSP's position on the 73 Fitchburg site is that there are no restrictions placed on activity there. The Board will write a letter asking for a written statement to this effect, but the general feeling is that the DEP will not give a written response.
 - The Board recommended that Cushing's position paper and the concerns of the Adam's be presented to Town Counsel before making any decision on the matter.
 - The meeting was continued until August 3rd.
7. 7:45 Mae Martin Trust, 8 Brogan Road
 Variances requested: See attached sheet.
 The Board unanimously approved the variances with the conditions:
 1. Well would tested annually as a deed notice
 2. The system would be put in within 6 months
 8. 7:55 Martha Shewan, 95 West Shore Dr.
 No variances requested because the new Presby system met all local and state requirements
 9. 8:05 Nick Kopley, 15 Brown Lake Rd. Variances requested
 Abutters, George Blakley, and Cynthia Deveikis were present as well as Nick Kopley, owner.
 See attached sheet for variances
 Cynthia questioned the SDS setback from wetlands of 80 ft. The engineer explained how the setback was arrived at and there were no more questions. Cynthia was mainly concerned about putting another house in a very small area. The board stated that this was more the domain of the planning and zoning boards. The property is now assessed as a one room "cabin" with no septic. Before the Board can approve the variances they need to see the property assessed as a one bedroom house.
 10. 8:25 The Board discussed recent developments at Naukeag Hospital. Rick Metcalf presented the Board with recent pumping records as requested. Rick has inspected the recently failed alarm system and deemed it in working order. The Board is still waiting on the DEP to rule on whether or not Naukeag can continue to use a tight tank on the site.
 11. The Board unanimously approved Mr. and Mrs. Johnson to place temporary housing, with hookups for water, sewer, electric and phone at site of the recent destruction of their home by fire.

Meeting convened at 8:45 pm
 Respectfully submitted by,
 Tomas Flanagan

Acting Secretary, ABOH