

CSS
DSP

BOARD OF HEALTH MINUTES

Meeting Held at the Houghton Building on **April 14, 2015** at 6:00 PM

Members Present: Christopher Slade, Chair, ~~Christopher Rogers, Member~~ and Scott Powell, Clerk

Not Present: Christopher Rogers, Member

Also Present: Bill Brookings, Health Agent, Nashoba Associated Boards of Health and Michelle Carlisle, Health and Permitting Assistant

Call to order: 6:05pm

Minutes reviewed for March 24, 2015:

- **Moved to next agenda. C. Rogers not in attendance.**

Mail Reviewed:

Action/Discussion:

- Shared System and Nitrogen Aggregation fees – proposed Amendment to the Board of Health Fees Established Regulation.
 - o Board discussed the need for additional fees for the review of shared systems now that DEP is no longer reviewing them.
 - o Board reviewed the current fee structure through NAHB.
 - o **Move to next agenda.**
- Trash complaint – Wheeler Road.
 - o Board discussed the written complaint they received regarding the overflowing trash barrels on Wheeler Road.
 - o Put on hold until Board hears more.
- Tennessee Gas Pipeline – Right of Way.
 - o Initial discussion regarding the potential Public Health impact if the proposed new pipeline goes in and any mitigation that the Board may consider requesting.
 - o Nancy Skinner informed the Board about an upcoming meeting where anyone can go and ask questions. Nancy stated that it will go through bedrock and the aquifer and she's concerned about contamination during construction and damage to wells and septic systems.
 - o Kinder Morgan is currently in the pre-filing phase.
 - o Gary Cousin explained how the Board can express their concerns and who to write to.
 - o Gary Cousin stated that there will be above ground structures, fences, gas release and noise at the juncture.
 - o **Add to next agenda.**
- Swine and Offal License for C&B Enterprises.
 - o Board signed the Licenses.
- Century Mill Road – potential variance hearing.
 - o **Move to next agenda.**
- 7 Wheeler Road – design flow.
 - o Jack Maloney, Ducharme & Dillis, discussed the discrepancy regarding the design flow with the Board. Failing cesspool. No records indicating how many bedrooms the system was originally designed for.
 - o Assessors card has no information regarding room count. Lot size is around 2 acres.
 - o Board discussed and determined the room count to be 9 with 5 bedrooms.
 - o C. Slade stated that a nitrogen reduction system might be a good idea.
 - o Jack Maloney stated that the only variance request would be to local regulations. They would meet Title 5 therefore adding a nitrogen reduction system could put a burden on the homeowner.
- 460 Main Street – water quality test results.
 - o Board reviewed the results and accepted them.

- 95 Sampson Road - installation of a pool.
 - o Want to install the pool where the reserve area is.
 - o Need a new plan to show a new reserve area in between the trenches.

Building Permits Reviewed:

- 46 Meadow Road – remodel garage. B. Brookings signed 3/20/15.
- 401 Berlin Road – demolition of existing single family dwelling. B. Brookings signed 3/30/15.
- 86 Century Mill Road – convert existing screen porch to a three season porch. B. Brookings signed 4/6/15.
- 95 Fox Run Road – in-ground pool. B. Brookings signed 4/6/15.
- 296 Hudson Road – screen porch. B. Brookings signed 4/8/15.
- Lot 23A Old Stone Circle, CME – foundation only. B. Brookings signed 4/8/15.
- 401 Berlin Road – re-build new single family home. B. Brookings signed 4/8/15.

Septic Permits Reviewed:

- 15 Lively Road – tight tank.
 - o Jack Maloney, Ducharme & Dillis, appeared before the Board on behalf of their client, Nu Phan, to discuss and request the following SDS variances:
 - Regulation 4: Distances – specifically the tight tank from wetlands, requires 100', requesting 88'.
 - Regulation 4(1): Distances – specifically the tight tank in an area with ledge, requires 100' from the well, requesting 50'.
 - Lot is .40 acres and has an existing 3 bedroom dwelling with a well and an assumed failed tank and pit system.
 - Board would like to know if it's a drilled well. Jack stated that is must be. There is a pump and it is in ledge.
 - Assessor's card says two bedrooms. There is no other information on file.
 - Board reviewed the sketch and determined there are 7 rooms and will respect it as a 3 bedrooms.
 - The Board's written approval must be recorded before a permit can be issued when approving a tight tank.
 - An Operation and Maintenance Plan is required and is currently in place with WindRiver to pump the tank when it s 3/5s full.
 - **S. Powell moved to approve the variances as requested, C. Slade 2nd. All in favor 2/0.**
 - **M. Carlisle to send letter.**
- 298 Still River Road – upgrade.
 - o Board reviewed and discussed a variance request letter from Neil Gorman, David E. Ross Associates, on behalf of their client, Andrew Glace, requesting the following SDS variances from Regulation 4: Distances for a proposed upgrade with no additional flow:
 - Leaching facility to private well in soils with perc rate of 2 mpi: required 150', requesting 118'.
 - Leaching facility to property line: required 15', requesting 10'.
 - Leaching facility to wetlands in soils with perc rate of 2 mpi: required 150', requesting 83'.
 - Board received an agreement letter from the abutter.
 - **S. Powell moved to approve the variances as requested, C. Slade 2nd. All in favor 2/0.**
 - **M. Carlisle to send letter.**
- 141 Fox Run Road – increase in flow.
 - o Board reviewed and discussed a variance request letter from Chris MacKenzie, Whitman & Bingham, on behalf of his client, Weilbrenner Construction, requesting Local Upgrade Approval,

310 CMR 15.405(1)(b): Reduction of the required 10' setback of a tank from a slab foundation. Requesting 6'.

- o **C. Slade moved to approve the variance as requested, S. Powell 2nd. All in favor 2/0.**
- Lot D Main Street – new system.
 - o In 2007 the Board required a VOC test along with the standard tests due to it's proximity to the Mobil Station where there was an issue at one time. Board discussed if they will still require the VOC test.
 - o Variance free.
 - o Board will require the VOC test only with the initial test when the well is installed.
 - o **M. Carlisle to send letter.**
- 147 Long Hill Road – upgrade.
 - o Jack Maloney, Ducharme and Dills, appeared before the Board to discuss the proposed upgrade and the following SDS variance requests:
 - Regulation 3(a): Percolation Test – required two perc tests in each area, requesting Sieve analysis for Primary Area.
 - Regulation 4: Distances – leaching facility from travelled way – required 35', requesting 23.2'.
 - Regulation 6: Length of Sewer Line – 120' for Reserve Area, requesting 282'.
 - Regulation 8: Subdivided Lots for Reserve Area - must be variance free, requesting above variances.
 - o Lot is in the process of being subdivided which triggers a Title 5. Title 5 determined that the system is in failure.
 - o **S. Powell moved to approve the variances as requested with the addition of Regulation 8, C. Slade 2nd. All in favor 2/0.**
 - o **M. Carlisle to send letter.**
- 353 Long Hill Road – distribution box.
 - o Board signed.

Inspections reviewed:

- 7 Nourse Road.
 - o Board accepts.
- 146 Hudson Road.
 - o Board accepts water test and Title 5.
 - o **M. Carlisle to send letter.**
- 17 Mt. Wachusett Lane.
 - o Garbage Grinder.
 - o **M. Carlisle to send letter.**
- 189 Bare Hill Road.
 - o Board accepts.
 - o Noted that a camera was used to inspect distribution box instead of digging it up.
- Sunset Ridge.
 - o Requires two distribution boxes and splitter box.
- 353 Long Hill Road.
 - o Distribution box needs to be replaced, permit submitted above.
 - o Property has a garbage grinder and the water softener system discharges in to septic system.
 - o **M. Carlisle to send letter.**

6:30 – 6:45pm Dan Gaffney, SafeWell Corporation – survey of private wells.

- Dan Gaffney appeared before the Board to ask for their endorsement of his company, SafeWell Corporation which surveys private wells. His company has been working on pulling together information on private wells and public water supplies. They work with the CDC and DEP. Their goal is to educate residents on how to test their well water and the structure of their wells.

- C. Slade stated that the Board does support any effort anyone can give to educate residents on how to test their wells to ensure they are drinking clean water, but the Board has never endorsed a specific company as they are a Regulatory Board and can't do that.

6:45 – 7:00pm Jack Maloney, Ducharme & Dillis – proposed upgrade at 68 Hudson Road.

- Jack Maloney, Ducharme & Dillis, appeared before the Board with their client, Rick Mlcak, to discuss the potential upgrade at 68 Hudson Road an existing two bedroom house. Looking to upgrade to a 4 bedroom house.
- Potential variances that may be required were discussed and are as follows: SDS Regulation 4: Distances: leaching facility in soils with perc rate of 2mpi, to well and wetlands will be less than the required 150 feet; Regulation 6: Length of sewer line will be over 120 feet and may require a Deed Notification to inspect and maintain the system and long sewer lines (already in place) and Well Regulation 4.1.1: Leaching facility will be less than the required 150 feet to the well.
- C. Slade asked if the well is a drilled well.
- C. Slade asked for an abutter letter stating that they are in agreement with the well variance.
- Property currently has a 2 bedroom deed restriction.
- Board is requesting well information. Proposal meets Title 5, but requires local Board approval.
- C. Slade would be more likely to approve these variances if the well is a drilled well. If it isn't, they could drill a new well.

C. Slade moved to adjourn the Board of Health meeting at 8:24pm, S. Powell 2nd. Motion passes 2/0.