



**Town of Dartmouth
Board of Health
Minutes of the Meeting of
17 June 2014
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Public Health
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DARTMOUTH TOWN CLERK

The meeting notice was duly posted. This meeting was called to order at 4:03 p.m.

Leslie E.J. McKinley, Lynne Brodeur, and Thomas W. Hardman were present. Wendy Henderson, Director of Public Health, was also present.

The Minutes of the meeting of June 4, 2014 were approved as amended.

Appointment 4:10 PM Site Design Engineering representing - Robert Nunes, Map 27, Lot 3, 68 Division Road - variance from 310 CMR 15.405 (1) (H) (5)

Mr. Hardman recused himself from all discussion and voting on this matter. Michael Russell, Professional Engineer from Site Design was present to represent the applicant. Mr. Russell handed the clerk the green cards notifying abutters of the hearing and variance request as follows:

Section	Waivers and *Variance
15.211	*80' setback from onsite well to proposed SAS, 100 required.
15.211	9.5' setback from SAS to cellar wall proposed, 20' required
15.211	5' setback from SAS to property line proposed, 10' required.
15.212 (A)	3.3' separation to groundwater proposed, 4.0 required.

Ms. Henderson commented this plan shows better separation if they hold the chamber invert elevation, as the chambers are shallower than the profile shows, even if the well was moved they wouldn't be able to make the 100' setback, and commented on the drainage issues. Mr. Russell agreed about the drainage issues and would suggest a preconstruction conference.

- With nothing further to discuss, Ms. Brodeur motioned to grant the variance and waivers for the *80' setback form onsite well to proposed SAS, 100 required, 9.5' setback from SAS to cellar wall proposed, 20' required, 5' setback from SAS to property line proposed, 10' required, 3.3' separation to groundwater proposed, 4.0 required with Ms. McKinley seconding the motion. It passed with a vote of 2-0, 1 abstention - Mr. Hardman, to approve the variance and waivers.

RE: Cecil Smith Landfill update - Plat 72, Lot 6 Old Fall River Road -

Ms. Henderson gave the Board an overview of the Boston Environmental Corporation ISA/CSA proposal. Some of the issues Ms. Henderson mentioned were aquifer, residents wells, the unoccupied trailer, the child care facility on Old Fall River Road, ground water flow and Westport River Basin potential public water supply to name a few.

- Ms. McKinley, chair entertained a motion made by, Mr. Hardman to send a letter to the Department of Environmental Protection (DEP) with summary of events with Ms. Brodeur seconding the motion. It was voted 3-0 to send a letter to DEP.

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RE: Comm 97 soils & other materials use for landfill closure

Ms. Henderson went over the draft letter to Dr. Wendy Heiger-Bernays, asking if the Board of Health could hire her to provide analyses addressing any public health issues relating to each of these COMM-97 materials.

The Board discussed the draft letter, soil standard information and soil management Ms. Henderson had provided. Additional materials such as bottom ash and RCS 1 & RCS 2 soils were discovered, they considered asking Dr. Heiger-Bernays to provide analysis, of these materials for the Board.

- Ms. McKinley, chair, entertained a motion made by Mr. Hardman to send the letter asking Dr. Heiger-Bernays and prioritizing the list of materials in the letter for her analyze, with Ms. Brodeur seconding the motion. It was voted 3-0 to send the letter to Dr. Heiger-Bernays.

RE: Public Health Nursing/Brandon Woods - Bullard Center - proposal-

Ms. Henderson informed the Board that Brandon Woods would like to sign the lease as written. The lease is a three year agreement.

- Ms. McKinley, chair entertained a motion made by Mr. Hardman to accept the lease agreement with Ms. Brodeur seconding the motion. It was voted 3-0 to accept the lease agreement.

RE: Director of Public Health position-

Ms. Henderson explained the Director of Public Health position has been posted internally, with MHOA, MEHA, and will be in the Standard Times this weekend. Ms. Brodeur provided the Board with a list of potential questions to ask the potential applicants. Ms. Brodeur offered to make a spreadsheet of the credentials of the applicants. Ms. McKinley thanked Ms. Brodeur for taking on that responsibility.

- No action required at this time.

RE: Septic Plans -

- Desruisseau Residence, Map 56, Lot 17-3, Digger Drive
- Vermette Real Estate, Map 25, Lot 1-7, Ledgemont Lane
- Aspen Properties/Albert & Donna Lucardi, Map 66, Lot 13 & 14, Sublot 4, Hixville Road
- Aspen Properties/Albert & Donna Lucardi, Map 66, Lot 13 & 14, Sublot 5, Hixville Road
- Hendon & Kate Maili Pigeon, Map 7, Lot 11, 169 Mishaum Point Road
- Scott Barrows, Map 24, Lot 10-2, Potomska Road
 - Expanded Well Testing
- Long Built Homes, Map 65, Part of Lot 27, Sublot 1, Old Fall River Road
 - Expanded Well Testing

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- Long Built Homes, Map 65, Part of Lot 27, Sublot 3, Old Fall River Road
 - Expanded Well Testing
- Ms. McKinley, chair entertained a motion made by, Mr. Hardman to approve the above aforementioned sewage disposal plans and those sewage disposal plans that require expanded well testing with Ms. Brodeur seconding the motion. It was vote 3-0, to approve the sewage disposal plans and those with expanded well testing.
- Andrew Burnes, Map 9, Lot 31-3, 22 Jordan Road
 - Should well testing be required
- Ms. McKinley, chair entertained a motion made by, Ms. Brodeur to approve the above aforementioned sewage disposal plan along with having a standard potability test, and suggested (not mandatory) doing VOC testing due to a fuel spill at 92 Allens Neck Road three decades ago with Ms. McKinley seconding the motion. It passed with a vote of 2-0, (1 abstention Mr. Hardman), to approve.

RE: Lisette DeMelo Map 79 Lot 58-6, 276 Collins Corner Road-4 cows, 3 chickens, and 1 Bunny

The Board reviewed and discussed the application for 4 cows, 3 chickens, and 1 bunny. After reviewing the Dartmouth Animal Controls comments the Board voted as follows.

- Ms. McKinley, chair entertained a motion made by Lynne Brodeur to *deny* the permit for 4 cows based on Dartmouth Animal Controls findings that there was inadequate area, inadequate fencing, and inadequate housing, but the Board will allow the 3 chickens and 1 bunny on said property as long as there is adequating housing and fencing and an inspection conducted by Animal Control with Mr. Hardman seconding the motion. It was voted 3-0, to deny the permit for 4 cows but allow the 3 chickens and 1 bunny as long as there is an inspection indication adequate housing and fencing.

RE: Complaint log from June 1, 2014 to June 11, 2014 -

This was for informational purposes only.

- No action required at this time.

RE: Complaint 794 Chase Road - animal odors -

The Board perused the numerous complaints and inspections for 794 Chase Road made by and Mr. McAndrew.

- At this time the Board members found there are no issues of odor or animals being improperly maintained at 749 Chase Road and the Board of Health will take no action. It was voted 3-0, to not take any action.

RE: Draft Bliss Corner Area Mixed Use District Zoning Bylaw

The Board reviewed and discussed the draft Bliss Corner Area Mixed Use District Zoning Bylaw.

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- It is the suggestion of the Board of Health to send a letter to the Planning Board that there should be language that would require establishments to locate their trash, grease and recyclables storage and collection facilities with screening, on stable pads, away from residential or other sensitive uses, and to provide regular collection so as to not negatively impact neighbors.

Relative to Section 10B.302: Lodging houses must be designed, maintained and operated in conformance with all state laws and regulations and the Dartmouth Guest Establishment Regulations. If meals are served the Select Board will permit the establishment.

Relative to Section 10B.303 Dartmouth Board of Health Fuel Storage Tank Regulations prohibit new or replacement underground fuel storage tanks. The Board has granted variances to this regulation but does not encourage new underground fuel storage tanks in the interest of groundwater protection, public and environmental health.

It was voted 3-0, to send a letter to Planning Board with the above aforementioned comments.

RE: Greater New Bedford Allies - Health Access Training Opportunity & Promoting Maternal and Infant Mental Health/The Community-Based Perinatal Support Model for Mothers

Ms. Henderson informed that Board that the Public Health Nurse Kathy Bohan feels progress has been made for training, and support groups with Key Health Care Providers.

- No action required at this time.

RE: Beach Testing Results-

The Board members review the most recent beach testing results with not further comments.

- No action required at this time.

RE: Director's report -

Ms. Henderson, Director of Public Health updated the Board on the Police Station that the preliminary recommendations were given to Ms. Henderson, the Police Chief, and the Town Administrator. The Department of Public Health will be coming back on June 18, 2014, for further investigation.

Ms. Henderson updated the Board on the Padanaram Business Group and how some residents want this area to stay the way as is. Discussion on Bridge Street Café and how it is a DEP issue in regards to the hazardous waste remediation.

Ms. Henderson updated the Board she spoke with Lisa Lofberg from Beach Plum Café that if Janice Young, Health and Sanitary Inspector couldn't provide an inspection other arrangements would be made.

Ms. Henderson updated the Board regarding a stray bull from Little Compton that made its way to Dartmouth. The Bull needed to be tranquilized and is being sent to auction.

- No action required at this time.

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RE: Board Signatures -

Members signed a Notice of Betterment Assessment for 529 Horseneck Road. - Leslie E.J. McKinley signed an Employee Absentee Report for Wendy W Henderson, Director of Public Health.

Leslie E.J. McKinley, Chair entertained a motion to close the regular Board of Health Meeting. Roll call vote -Thomas W. Hardman - yes, Lynne Brodeur - yes, Leslie E.J. McKinley-yes.

With no further business to discuss, the Chair adjourned the meeting at 5:30 p.m.

Respectfully submitted,



Donna Farias

Administrative Clerk