

REGULAR MEETING OF THE BOARD OF HEALTH
July 20, 2016

A Regular Meeting of the Board of Health was held at the Town Hall on Wednesday, July 20, 2016, at 6:30 p.m. The meeting was duly posted. Board members present: Jeannine Lopes, Lindsay Gordon and Peter DeTerra. Also present: Patricia Fowle, Health Agent.

Chairwoman Lopes called the meeting to order at 6:30 p.m. and asked for a motion to approve the minutes of the Regular Meeting of June 20, 2016. Motion to approve the minutes was made by Mr. DeTerra; seconded by Ms. Gordon. The vote was unanimous.

Before the Board:

Kory Medeiros of Sitec Engineering, Inc., Dartmouth, MA, engineer for a proposed septic plan for a new construction 4 bedroom dwelling on Charity Stevens Lane, Map 40, Lot 14, appeared before the Board. Also in attendance was Mark Monteiro, 30 Charity Stevens Lane, Camille Plaud, 25 Charity Stevens Lane and Joseph Rezendes & Debra Saladino, 36 Charity Stevens Lane. Mr. Medeiros stated the plan has been amended per the health agent's initial review. The proposed system is a 1500 gallon tank to a 1000 gallon pump chamber to an Infiltrator Quick4 leaching system. The plan meets all minimum requirements of the State Code and town regulations. Town water is not available along Charity Stevens Lane, therefore private potable wells are in use. There are two proposed roof recharge systems west of the proposed dwelling and away from the proposed well. Grading for any surface runoff is away from existing homes and septic systems. Mr. Monteiro, 30 Charity Stevens Lane, expressed concern that his leaching field will be affected by the surface water runoff and the placement of the new mounded leaching area. He stated it is critical that the swale proposed along the property line between the properties remains a grassed swale and not have any sort of planting. He stated this area is wet all the time and the water will runoff onto his property. Mr. Medeiros stated the new lot is lower than Mr. Monteiro's property and the surface runoff will affect the new lot more than the existing lots on the street. The plan has been engineered to keep all runoff water from the new lot on the new lot and not affect the existing lots. Mr. Monteiro stated it may work in the present but there is no guarantee for the future. Discussion ensued. Regarding the location of Mr. Monteiro's well and septic system the health agent presented a plan from the Board's files indicating the septic and well were constructed in 1976. Mr. Monteiro stated his system is working and added the well location is incorrect, then indicated the true location on the plan. Further discussion ensued. Chairwoman Lopes asked Mr. Monteiro what it is that he is seeking. He stated he would like assurances that the new system and the new lot would not affect his system and well being. Ms. Lopes stated that she agrees there may be some concerns at some time for flooding and she would like to see the proposed swale to remain as presented on the plan. However, the Board can only do what the law allows and the proposal is in keeping with the requirements for septic and well per the State and Board of Health codes. Mr. Monteiro stated he understood.

Motion to approve the septic plan with written comment addressed to the Conservation Commission that the swale should remain as a grassed area as presented on the plan was made by Mr. DeTerra; seconded by Ms. Gordon. The vote was unanimous.

John Marchand, PE of ThompsonFarland Engineering, Inc. of New Bedford, MA is the design engineer for three new construction 3 bedroom dwellings on the east side of Charity Stevens Lane, across from the plan just presented to the Board. Also in attendance were Mark Monteiro, 30 Charity Stevens Lane, Camille Plaud, 25 Charity Stevens Lane and Joseph Rezendes & Debra Saladino, 36 Charity Stevens Lane.

The three septic plans with wells were approved by the Board in January, 2016; however, the Conservation Commission has since required that all stormwater be maintained on the lot from which it runs. Therefore, each of the three plans now has added roof recharge systems designed to hold a 10 year storm event flow and thus the plan review at this time.

Mr. Marchand stated for 33 Charity Stevens Lane two roof recharge systems were added. There is also a subsurface bio-retention filter at the driveway entry 250' away from the septic system and dwelling. Motion to approve the plan as presented was made by Mr. Deterra; seconded by Ms. Gordon. The vote was unanimous.

Mr. Marchand then presented 31 Charity Stevens Lane redesign showing one roof recharge system and a subsurface bio-retention filter at the base of the driveway, 200' away from the septic system and dwelling.

Motion to approve the plan as presented was made by Mr. Deterra; seconded by Ms. Gordon. The vote was unanimous.

Mr. Marchand then presented 27 Charity Stevens Lane redesign showing one roof recharge system. Also noted is that 27 and 29 Charity Stevens Lane will share a common driveway off of the road as entry and therefore there is no bio-retention filter proposed. Immediate abutter Camille Plaud, 25 Charity Stevens Lane, had stated to the health agent that his septic system was too close to the proposed well and that his well may be too close to the proposed septic system. Mr. Marchand was allowed onto 25 Charity Stevens Lane to assess both the well and septic location. A GPS map was presented to the Board indicating that the required minimum setbacks have been met. Mr. Plaud stated the location of the proposed dwelling is to the rear of his house and presents a privacy issue. Mr. Plaud now hunts on his property and with the new dwelling he will not be able to hunt any longer due to setback restrictions. Mr. Plaud would like to have the dwelling at the road and not set back 355' as is proposed. Mr. Marchand stated the proposed dwelling location is the best use of the land. The front of the lot at the road is basically a ravine and the dwelling would be downgradient of all water flow. Mr. Plaud also expressed concerns on the mounded septic system and roof recharge system shedding water onto his land. Discussion ensued. Mr. DeTerra asked that the proposed roof recharge system outflow pipe be directed away from the shared property line at 25 Charity Stevens Lane and onto the new lot. Motion to approve the plan with the notation that the roof recharge overflow pipe be directed away from 25 Charity Stevens Lane was made by Mr. DeTerra; seconded by Ms. Gordon. The vote was unanimous.

The Board reviewed a septic system inspection report for 56 Goulart Memorial Drive, Earl's Marina, performed by Andrew Gomes, A. Gomes Equipment Co., Acushnet, MA on June 24, 2016. The health agent was present at the time of inspection. The system is a 10,000 gallon sewage holding tank installed in 1992. The inspection passed. The Board concurs with the findings of the report.

Motion to accept the septic system inspection report was made by Mr. DeTerra; seconded by Ms. Gordon. The vote was unanimous.

The Board read and accepted the resignation letter of Board of Health/Building Department Administrative Assistant Lisa Moniz dated July 1, 2016, and effective August 1, 2016. The job has been posted by the union. For the past 8 years the Board has paid half the salary of this position but has never received half of the time or 17 ½ hours of work time of the administrative position due to the demands of the Building Department. Prior to 8 years ago, the Board always had a full-time administrative assistant staff employee; however, due to complicated legal maneuverings the shared position came into being in 2008. This has not worked well for the Board or in serving the residents of the Town. Discussion ensued. The Board would like to keep its Town Meeting appropriated staff

funding and hire a part-time Board of Health administrative assistant to assist the health agent in the office.

Motion to utilize the Town Meeting appropriated staff funding to hire a Board of Health part-time administrative assistant and to notify Town Administrator Mark Rees of the need and desire to do so and to seek his council on how the Board would achieve this end was made by Mr. DeTerra; seconded by Ms. Gordon. The vote was unanimous.

The Board reviewed the latest food establishment spreadsheet with comments.

Last reminder: The Household Hazardous Waste Day will be Saturday, August 6, 2016, from 9:00-Noon at the Board of Public Works yard, Arsene Street.

The health agent reported she has 2.5 vacation days remaining in her use year ending August 9, 2016, and most probably will not be able to utilize them by. She asked permission to roll them over into the new year.

Motion to allow the health agent to transfer up to 2.5 remaining unused vacation days from this year to next use year was made by Mr. DeTerra; seconded by Ms. Gordon. The vote was unanimous.

The Board reviewed and signed invoices.

The date of the next regular meeting of the Board will be Wednesday, August 10, 2016, at 6:30 pm.

There being no other business before the Board, Ms. Lopes motioned to adjourn; Ms. Gordon seconded. The vote was unanimous at 8:25 pm.

Respectfully submitted,
Patricia Fowle, Health Agent