

**Halifax Board of Health
Meeting Minutes
Wednesday, May 01, 2019**

On Wednesday, a meeting of the Halifax Board of Health was held at the Halifax Town hall.

Present at the meeting were:

John W. DeLano – Chairman, Board of Health
John L. Weber – Co-Chairman, Board of Health
Alan J. Dias – Clerk, Board of Health
Cathleen Drinan – Health Agent, Board of Health
Peggy Selter – Administrative Assistant, Board of Health

The Board of Health meeting opened at 6:30p.m.

1. Disposal Works Permits:

a. Requiring Local Upgrades & Variances: (but otherwise recommended for approval):

i. 6:30pm – Hearing: 330 Plymouth Street. DWCP – In attendance, Casey Burch, Solli Engineering for O’Rielly’s Auto Parts.

1. Using actual water meter data.
2. Design for 120 gallons per day instead of 200.

a. Casey Burch, Solli Engineering presented the plan for O’Rielly’s Auto Part Store.

- i. Board requested engineer provide and show on plan throttling valve to control flow and check valve and weep hole.**
- ii. The Board requested that the kit be labeled, a deed restriction be in place and recorded with the registry of deeds, a two (2) compartment tank and pump structure with H2O loading be used, detail be on the front page of the plan, separated riser for junction box and a deed restriction be in place.**

A Motion was made to approve with condition that the kit be labeled, a deed restriction be in place and recorded with the registry of deeds, a two (2) compartment tank and pump structure with H2O loading be used, detail be on the front page of the plan, separated riser for junction box and any local upgrades and variances requested. Close hearing.

Motion: John Weber

Second: Alan Dias

Unanimous vote on the motion

ii. 7:00pm - Hearing: 49 Lake Street. In attendance owners Matt and Bonnie Weathers, Paulette DeMartino, abutter, Mitch Lewicki, Laurie Monahan.

1. Allow a 3' separation from SAS to a street line instead of 10;' required.
2. Allow an SAS to be 32' from a tributary to a water supply instead of 200' required.
3. Allow a 3' remove & replace of unsuitable soils instead of 5' required.
4. Allow a septic tank to be 52' from a tributary to a reservoir instead of 200' required.
5. Allow a 25% reduction in the size of the SAS.

6. Allow the installation of a SAS 3' above the water table instead of 5'.
7. Allow a 0' separation from the SAS to a lot line instead of 10' required.
8. Allow the pump chamber to be 58' from a tributary to a water supply instead of 200' required.
9. Allow an SAS to be 3.5' from a slab foundation instead of 10' required.
 - a. There was a discussion regarding concerns of effluent from property draining onto neighbor's property causing damage and ground contamination.
 - i. Neighboring resident presented pictures of the damage to her basement and informed the Board that she had a sample of the run-off into her basement tested at Analytical Labs.
 - ii. The Board asked the Health Agent if it was definite that it was sewage.
 1. The Health Agent commented that there was evidence of coliform.
 - b. The Board suggested the removal of the contaminated soil and clean sand be brought in for the contaminated area that was removed.

A Motion was made to approve with requested variances 1-9 and system installation to begin with two (2) weeks. Close hearing.

Motion: Alan Dias
Second: John Weber
Unanimous vote on the motion

iii. 22 Buttonwood Road.

1. Request to allow 4' instead of required 5' to groundwater.

A Motion was made to approve with condition that Briggs Engineering get a percent of sand/silt/clay from sieve triangle, update plan and grant 1' waiver.

Motion: John Weber
Second: Alan Dias
Unanimous vote on the motion

b. Hearing:

- i. **7:30pm** – Hearing: 23 Lantern Lane. In attendance were Tim Feely, Peter Annis, Carol Simmons, Kelly Orlando, Clifford Cook, Muriel Cook, Emile Tayeh, Monti Sill, Edward Gildea and Lucas Klim.
 1. Revoke current Septic System DWCP# 8564.
 - a. Residents are concerned about not receiving mail. They state they never received proper notification of the septic system from the owner/engineer.
 - i. The Board stated that the owner/engineer must provide tracking of proper notification to abutter's.
 1. Owner showed evidence on his phone of previous tracking notification to abutter's.
 - a. Resident presented a letter from the post office as evidence stating that they have opened an investigation regarding this matter and the

resident has also filed a report with the police department for stolen mail.

- ii. The Board read-over the abutters list for the residents to confirm accuracy and requested the engineer resend proper notification to abutter's.
- b. The engineer presented to the Board a new septic plan design and stated that they were working within the compounds of the existing permit in regards to the local upgrade request.
- c. An update was given by a Board Member regarding what he witnessed when he visited the property.
 - i. Board member stated he witnessed effluent and lime on the ground.
 - 1. Board suggested system be pumped as-needed even if this means pumping on a weekly and/or daily basis with Health Agent as a witness. If effluent is evident on the ground/under the house, this also needs to be pumped out.
 - ii. Board voiced concerns regarding:
 - 1. Run-off, permits & inspections and gray water.
 - a. Owner stated the kitchen sink pipe was cracked and Arnold Plumbing was hired for the run-off.
 - b. Permits were pulled at the Building Department and plumber inspected work done.
 - c. Owner informed the Board that Bob Morrisett of On-Grade Excavating will be the septic installer.
 - iii. The Health Agent voiced her concern of constant gray water under the house and the run-off onto 27 Lantern Lane.
 - 1. Owner commented that Heritage Pumping resolved the gray water issue.
 - iv. Board questioned neighboring stairwell shown on the plan and requested measurements for elevations of bottom of stairwell.
 - 1. Mr. Klim requested to be present at the time of measuring.
 - v. Mr. Klim indicated a property line discrepancy with surveying between 23 Lantern Lane and 27 Lantern Lane.
 - 1. Mr. Klim presented their plan with surveying for 23 Lantern Lane.
 - 2. Board of Health will request a copy of the as-built for 27 Lantern Lane from Crowell Engineering.

A Motion was made to revoke original approval without prejudice and hold new hearing on 05/15/19 at 6:30pm for new plan.

Motion: John Weber

Second: Alan Dias

Unanimous vote on the motion

A Motion was made to withdraw prior abutter's list.

Motion: John Weber
Second: Alan Dias
Unanimous vote on the motion

A Motion was made to require a certified list of abutter's for hearing on 05/15/19 at 6:30pm.

Motion: John Weber
Second: Alan Dias
Unanimous vote on the motion

A Motion was made to require pumping of system on an as-needed basis even if this means pumping on a weekly and/or daily basis with Health Agent as a witness. If effluent is evident on the ground/under the house, this also needs to be pumped out.

Motion: Alan Dias
Second: John Weber
Unanimous vote on the motion

A Motion was made to close hearing on disposal works construction permit# 8564 and submit a new plan for permitting at the 05/15/19 6:30pm hearing.

Motion: Alan Dias
Second: John Weber
Unanimous vote on the motion

c. Re-Approve:

i. 12 Water Street – Re-approve as is with no changes.

1. Board asked who will be submitting the as-built, as the design engineering company is no longer available.
2. Health Agent will contact the appropriate company and ask this question.

2. Vote:

a. Re-appoint Health Agent.

A Motion was made to re-appoint Health Agent.

Motion: John Weber
Second: Alan Dias
Unanimous vote on the motion

3. Discussion Items:

a. Plastic Bag Ban – In attendance were Candice Kniffen and Jeanne Kling.

- i. Candice Kniffen updated the Board that the committee was trying to limit the distribution of strictly single use bags directed at retail establishments.
- ii. The Recycling Department and Highway Department will be the enforcer of any policies/regulations/by-laws.
- iii. The committee asked if the Board would be willing to take a position on this issue if asked at Town Meeting.
 1. The Board determined that if asked at Town Meeting about the issue, they would be willing to say they are ok with it and in agreement.

b. Grille 58 and Lyonville Tavern – All required documents have not been received for 2019 permitting.

A Motion was made that required documents and/or information must be submitted to the Board of Health prior to the Boards next meeting on 05/15/19. If documents are not submitted, owner(s) shall be requested to attend the 05/15/19 meeting at 6:30pm.

Motion: John Weber
Second: Alan Dias
Unanimous vote on the motion

c. Agent Report:

- i. Question: 27 Holly Street - When upgrading a system, can the capacity of a cesspool be used for the repair design or only the bedroom count?
 1. Board and agent had a discussion regarding another property that had pits and thought that 2 bedrooms per pit should be used for capacity and not 3 bedrooms per pit.
- ii. 132 South Street – Remodeling bedroom count discussion.

A Motion was made to require a three (3) bedroom deed restriction to be recorded at the Plymouth Registry if deeds.

Motion: John Weber
Second: Alan Dias
Unanimous vote on the motion

iii. Agent updated Board on agenda items listed below.

1. 70 Oak Street – Title V Deed Restriction has been recorded by owner and copy submitted to the Board of Health.
2. 4 Richview Avenue – Update.
3. 59 Beechwood Road – Update.
4. Emergency Preparedness Talk with Mass. Office of Disability on 4/9/19 update.
5. People living in trailers:
 - a. 10 Thirteenth Avenue.
 - b. 45 Fuller Street.
6. Unknown business discovered/claimed. No
7. Mattress(s) complaint.
8. Alum treatments.
9. Ceiling leak at Stop & Shop.

4. The Following to be signed: – Board Approved and Signed.

a. Payroll for the Week Ending May 11, 2019

- i. Cathleen Drinan, Health Agent
- ii. Margaret Selter, Administrative Assistant
- iii. Brian Kling, Animal Inspector

b. Meeting Minutes: – Board Approved and Signed.

- i. 03/20/19 Meeting Minutes
- ii. 04/03/19 Meeting Minutes

c. Expense Account# 01-512 – FY 19-16 – Board Approved and Signed.

- i. Kathleen DeVasto-Piemonte – Kitchen Inspections/Re-inspections.
 1. Invoice# 050119
 - a. Br’s Café & Monponsett Inn - \$50.00

- b. Halifax Country Club - \$50.00
- c. Healthy Habits - \$50.00
- d. Stop & Shop (re-inspection) - \$50.00
- d. **Revolving Account# 25-513 – FY 19-13 – Board Approved and Signed.**
 - i. Spath Engineering – Invoice# 042219-743 - Plan Review – 22 Buttonwood Road- \$85.00.
- e. **Landfill Engineering Account# 01-519 – FY 19-03 – Board Approved and Signed.**
 - i. Tighe & Bond – Invoice# 041993235 - Landfill Monitoring - \$850.00.
- f. **Nursing Services Account# 01-522 – FY 19-10 – Board Approved and Signed.**
 - i. Norwell Visiting Nurse Association – Invoice# HBOH0319 – Nursing Services for March 01 – March 31, 2019 - \$443.32.
- g. **iPad Gift Account# 26-514-4830-02 – FY 19-10 – Board Approved and Signed.**
 - i. Cathleen Drinan – iPad Usage Reimbursement for, April 2019 - \$21.16.
- h. **Permits: – Board Approved and Signed.**
 - i. 2019 Irrigation Well – 11 Sherwood Drive
 - ii. JJ’s Sundae Express – 2019 Ice Cream Truck Permit
 - iii. JJ’s Sundae Express – 2019 Mobile Food Ice Cream Truck Permit at Connection Rods/Walmart Car Show.
 - iv. Loopy’s Express & Crepe Cart – 2019 Seasonal Mobile Food Permit for Fieldstone Show Park Events, May 08 - August 25, 2019.
 - v. Martin’s Bar & Grill - 2019 Seasonal Mobile Food Permit for Fieldstone Show Park – May 08, 2019 through August 25, 2019 Events.
 - vi. Bailey’s Concessions - 2019 Seasonal Mobile Food Permit for Fieldstone Show Park – May 08, 2019 through August 25, 2019 Events.
 - vii. Halifax Youth Baseball Snack Shack - 2019 Seasonal Mobile Food Permit.
 - viii. Pope’s Tavern – Counsel on Aging – 2019 Non-Profit Food Establishment.
 - ix. Merrill Engineers and Land Surveyors – David Newhall - 2019 Soil Evaluator’s Permit.
 - x. Rocky Meadows Enterprises – 2019 Septic Installer’s Permit.
 - xi. Wadsworth Inspections – Robert Wadsworth – 2019 Title V Inspector’s Permit.
 - xii. Rocky Meadows Enterprises – David Penney – 2019 Title V Inspector’s Permit.
 - xiii. Foresight Engineering – Darren Michaelis – 2019 Title V Inspector’s Permit.
 - xiv. Barton Bruffee – 2019 Title V Inspector’s Permit.

A Motion was made to approve permits i & xiv.

Motion: John DeLano
Second: John Weber
Unanimous vote on the motion

- i. **Permits – With Condition(s): – Board Approved and Signed.**
 - i. Murphy Bros. Excavating, LLC – 2019 Septic Installer’s Permit.
 - 1. With the condition required paperwork is submitted to Board of Health.
 - ii. Dana Junior – 2019 Title V Inspector’s Permit.
 - 1. With the condition required paperwork is submitted to Board of Health.

A Motion was made to approve permits i & ii with the condition required paperwork is submitted to Board of Health.

Motion: John DeLano
Second: John Weber
Unanimous vote on the motion

j. Mail Folder: – Board Read.

i. Zoning Board of Appeals

1. Notice of Public Hearing
 - a. 99 Hudson Street – Special permit for an in-law apartment.
 - b. 214 Elm Street – Special permit for an in-law apartment.

ii. Planning Board

1. Notice of Public Hearing – Town Articles.
2. Site Plan - 330 Plymouth Street – O’Reilly’s Auto Part Store.
3. Form A Distribution – Franklin Street, Map 104, Lots 5 & 9 (Creates 1 new lot)

Adjournment

A Motion was made to adjourn the meeting at 10:00p.m.

Motion: John Weber
Second: Alan Dias
Unanimous vote on the motion

Typed by,
Peggy Selter
Administrative Assistant

Signed By:
John DeLano – Chairman
John Weber – Co-Chairman
Alan Dias – Clerk

~You can receive an official signed copy of meeting minutes at the Board of Health Office~