

MARION BOARD OF HEALTH
Meeting Minutes
April 12, 2016

MEMBERS PRESENT: Albin R. Johnson III, Chairman
Elizabeth S. Dunn, RN, Vice Chairman
John B. Howard, Clerk
Karen A. Walega, Health Director

OTHERS PRESENT: Joseph, Jr. and Joanne Singleton
Joseph Singleton, Sr.
Linda Dessert
Ben Baptist

The meeting was called to order at 4:30 p.m.

Reviewed correspondence

Discussion – Cleanup release notification at 365 County Road

Ms. Walega told the Board that it has all been cleaned up.

Discussion – 468 & 470 Point Road

Ms. Walega explained that Mr. Kolano cancelled meeting with the Board this date but plans to attend the next meeting to discuss what he is going to do with the cottage. The cottage is probably going to be knocked down but he can still install the leaching field. Mr. Johnson asked if they had septic plans in place and Ms. Walega answered yes.

Discussion – 20 Old Indian Trail

Ms. Walega explained that she spoke to Mr. Davignon in length and there is a very simple fix. When they graded the land it was graded to the top of the wall so all the septic stuff goes into the ground as it should but all the runoff runs off and diverts to each side. Mr. Johnson asked if the plan for the construction of that system showed that they were going to fill up to the stone wall and Ms. Walega answered no it doesn't. Mr. Johnson said then it wasn't built according to specifications and Ms. Walega said no it wasn't. She said they need to contain the water on their own property and not divert it to the abutters. Mrs. Dunn read a portion of a report prepared for the abutters by Mr. Davignon of N. Douglas Schneider & Associates "that the installation of the fill in this manner is in direct conflict with requirements of Title 5 of the State Environmental Code." Mrs. Dunn said then there was nothing wrong with the design, the guy was right when he came and said that there wouldn't be runoff for the Gaffey's. Ms. Walega said he was right because even Mr. Davignon said he'd checked the septic part of it and there wasn't any runoff. The porous wall is the problem. The Gaffey's will have to fix it before they do their cottage. They have to make it right. After the as built is done the guy does whatever he wants and if he told him to put more fill in, he's going to do it. Mr. Johnson said our recommendation to the ZBA is to hold an abeyance to any type of permits or variances for the single family dwelling until such time the water problem has been remediated. Mrs. Dunn said so she can tell them that the septic systems were ok, it is that the installer didn't grade properly and filled up to a stone

wall that shouldn't have been. Ms. Walega said yes, there should have been some area there for the water to go to and there isn't, according to the plan we have. I remember they filled that road so they could get the truck in there for all their materials but he was supposed to take all the sand out of there and he didn't do that. Ms. Walega said he needs to put a swale in and have an area for the water to collect on his property and not to divert to everybody else's property.

The Board discussed the issue with the abutters. They asked Ms. Walega to invite the design engineer from GAF to the next meeting and to invite the installer from Arne Excavating to the meeting after that.

Discussion – Water Testing

Ms. Walega said the State informed her that the test results for the last four years have been very good at Planting Island and we are eligible to get a variance to test once a month. Dr. Howard made a motion to approve the variance and Mr. Johnson seconded. VOTE: 3-0-0

Discussion – Meeting Minutes

Dr. Howard moved to approve the minutes of March 22, 2016 and Mr. Johnson seconded. VOTE: 3-0-0

Dr. Howard moved to adjourn the meeting at 6:03 p.m. and Mr. Johnson seconded. VOTE: 3-0-0.

Respectfully submitted,

John B. Howard, MD, Clerk

List of Items Submitted:

MA DEP waste site cleanup release notification at 365 County Road

Letter of denial to extend septic permit at 468 & 470 Point Road

ZBA Notice of decision to grant variance at Tabor Academy

Tobacco 21 Endorsement Form

Letter regarding septic systems at 20 Old Indian Trail and 647 Mill Street

Draft Meeting Minutes of March 22, 2016
