



**Town of Wareham  
Board of Health**

**Meeting Minutes**

**July 21, 2010**

**Campinha:** It is July 21<sup>st</sup>, 2010, 4:05, Board of Health meeting at the Wareham Town Hall. Present members: Diane Alley, Dr. Charles Gleason, Dr. Tom Gleason and myself, Guy Campinha. We also have both Health Agents here tonight, Bob Ethier and Dave Flaherty and of course Suzaanne. We are going to open our meeting tonite with the 4:05 which is 80 Papermill Road, Sid Beaman & Associates and they are seeking a Variance to Local Regulations – Upgrade. Come on up gentlemen.

**4:05: 80 Papermill Road, Sid Beaman & Associates – Variance to Local Regulations – Upgrade**

**Good afternoon. Could you state who you are.**

**Beaman:** I am Sydney and representing [0009].

**Campinha:** So 50% is within the 130 and 50% meets the 150. So half the leaching field is like 130 feet. What is the system presently?

**Beaman:** A cesspool.

**Campinha:** So we do not have a water table issue. We just have a set back issue and the only Variance you are asking for is the 150. Bob, you have any comments?

**Ethier:** Yes. It would be helpful if to the nearest point of the wetlands that you draw a line and put that distance in. I do not see it on here. This is not in a Zone 2. Is the design criteria on this plan?

**Campinha:** The criteria is here. Designed for 4 bedrooms, existing 3 bedrooms. Anybody else have any comments?

**Allen:** I make a motion that we grant the Variance to Local Regulations for 80 Papermill Road.

**Campinha:** Motion seconded and you got it. Thank you.

**4:10: 14 White Pine Avenue, Norfolk-Ram Engineering – Variance to Local Regulations – Upgrade**

**Norfolk:** We did several test pits. It is a three bedroom house. We have pushed it as far forward as we can. That is why we are asking for the 3 foot Variance.

**Campinha:** You need to make the neighbors aware that you are going to be within a 100 feet of their drinking water and there could be a possible contamination. It is your responsibility because you are creating a hardship from your neighbors. I wouldn't act on that until I hear from your neighbors.

**Norfolk:** I would be glad to do that. The neighbor on the other side is not an issue because his well is on the far side.

**Campinha:** 12 White Pine, you need to hear to that person. I can't see giving you that permission until I hear from them. Send them a registered letter and then we can set up a hearing.

**Ethier:** They had to be notified of the hearing. Under Town regulations it is required because it needs to be 150 feet from....

**Campinha:** Okay. I would send them a letter and cc: to Bob so that they can read the letter, informing them what you are trying to do and that you are going to put a leach field within 100 feet of their, and then they can call Bob and discuss it with Bob. I want them to totally understand what they are getting into if they agree to it and if they agree to it then that is something else. I may want to see some water testing.

**Norfolk:** We are trying to make it better.

**Campinha:** I understand and I want it to get as better as we can. But if these people have a problem with it, then we have got an issue.

**Ethier:** What usually happens is that you try to locate all the wells including the well on that particular lot and to show us the neighboring well on all sides.

**Norfolk:** We have done that.

**Campinha:** Also, on the 1 foot separation that you are requesting, why are you requesting that?

**Norfolk:** Too keep the mounding down to a minimum because the lot is so small.

**Campinha:** So you are saying the hardship would be property use. It would not be sending water anywhere. I do not see a major problem getting that foot. Also, why isn't the wall continued on the back part of that property?

**Norfolk:** We did the setback from the 15 foot setback. We do not have a break out for the rear.

**Campinha:** At this point, I don't know if we should be go forward. I would like to see a letter from 12 White Pine and see what we are going to do with that and then I think we can go forward. Is there anything I am missing Bob?

**Ethier:** The height of the wall will not change whether you raise the system a foot or not. Is that correct? I also discussed this with Dave from Conservation.

**Campinha:** If we say tonite that we want to see this #1 Variance not granted, keep it at 4. So do not grant #1. #2 if #1 has to raise it, then we are not going to grant #2. He is going to put the wall on the backside. #3 is the one that .... The letter, we gotta wait until it comes back to us to see what they feel at 12. So what I think we should do is deny this, grant this and hold on that.

**T. Gleason:** Well, what happens if 12 objects to it.

**Campinha:** We will have to deal with that if 12 objects. Perhaps they can share cost of water. I do not know. I think at tonite's meeting we should to address your issues, we should let you know that we are going to deny 1, approve 2 and hold off on 3 tonite and then continue it until we get some answers. The next meeting is August 4<sup>th</sup>. Do you have any questions Dave?

**Phichette:** I agree with the Chairman's position.

**Campinha:** That will be the position. All right.

**Ethier:** Thank you for coming in tonite and helping us out with that.

**Campinha:** 4:15 is not here and we are going to move on to 4:20.

4:20: 200 Tihonet Road – Charles Rowley & Associates – Variance to Local Regulations – Upgrade. Mr. Rowley, you are on.  
Rowley: Thank you.  
Campinha: They are putting in a MicroFast? Is there a plan to maintain that MicroFast?  
Rowley: There would be.  
Campinha: It is mandated that they maintain them. As long as they are aware. They have to have a contract and we would like to have a copy of it.  
T. Gleason: Who maintains the system?  
Campinha: They hire a certified waste water operator and there is a contract. What are your comments Bob?  
Ethier: I was just wondering if the regulations says new construction, you have to be 150. With a de-nitrofication system you can be 100 feet away from the system.... Upgrades to the system, which this is. It is still over 100. So I am not quite sure why because it is not called for.  
Rowley: I think just to ensure that they did everything they needed to to protect their property and their neighbors.  
Campinha: I commend them.  
Ethier: With that I have no objections to those Variances.  
Allen: I make a Motion that we grant a Variance to the local Regulations to 200 Tihonet Road, with the stipulation that we need a contract of maintenance for a nitrogen system.  
Campinha: Second? Okay. Thank you. Appreciate your time.

4:25: Hearing – 3086 Cranberry Highway – A Helping Paw – Order to Appear on a Kennel.  
Campinha: I am going to tell you what I know and then Bob is going to tell you what he knows. What I do know is that we have a kennel operating in the Town of Wareham that doesn't have it's kennel license. So, as far as I am concerned if you don't have the proper documents to operate, then you can not operate. So my opinion is that they should be closed, ordered to desist immediately.  
Ethier: We went out to answer some complaints, we had numerous complaints of odors from .... Recently we had complaints of people sleeping on the premises and smoking in the building. When I was there to do the inspection with the task force, we noticed that the windows were all newspapered up. So you can not see in. I think it is important to note the safety issue that there is no ventilation in either of these buildings. Stuff is strewn haphazardly around that they have accumulated for their yard sale to defray costs of operation. I think they are trying to do a good thing but I think that the place that they are in is the wrong story and it is dangerous and it is a violations of the State Sanitary Code.  
Burke: I fully concur with Mister Ethier and also noted several code violations and safety concerns.

Tape 1 – Side 2

Perry: This inspection was when they first moved in. You people did a re

inspection and I would like to know the results of that. Secondly, there are no ....

**T. Gleason:** If they are closed, where do the animals go.

**Perry:** They are just closed for public business but not open otherwise. People come in to take care of them. I didn't smell any feces or any urine and I went through every single room. I was amazed at how clean and the lack of odor. On my advice they will not have more than three dogs.

**Campinha:** The regulations of the Board of Health must be met. And if we don't sign off, he doesn't get the license.

**Ethier:** I am sure that in the past it was inspected and found to be okay but then we see what is out there and it is not okay.

**Campinha:** Now we have to get them up to code since apparently gave them permission to be there and operate as a kennel, maybe not as a kennel but animal society and thrift shop. You do what you need to do and Mister Burke will do what he has to do and Mister Ethier is going to be .... I do not want to hear about it again. We will just watch it and be sure they do what they need to do.

#### 4:30 – Hearing – 14 North Blvd., Henry J. Bass – Order to Appear – Chapter II

**Ethier:** I am going to have to abstain because I have some business with Mister Bass and our Assistant Health Agent, Dave Flaherty will assist us on this.

**Campinha:** Good evening, state your name for the record, sir.

**Bass:** Henry J. Bass.

**Campinha:** Dave, why don't you tell us what's going on.

**Flaherty:** I was contacted by a tenant on North Blvd., that repairs had not been done. It got to the point where she recently came in with a note from the doctor.

**T. Gleason:** There was a mildew issue also as I recall, that came up the last time.

**Flaherty:** There Mister Bass had someone go in to fix it and he put some plastic up as a barrier, which stops the moisture but doesn't fix the problem. That has not been accomplished yet.

**Allen:** Can the renovations be done while there is someone living there?

**Flaherty:** I believe so. The tenant says to me that she doesn't have any problems with anyone going in to fix it.

**Allen:** Is there a roofing issue?

**Flaherty:** There is an upper deck and there was water coming in to the back coming down to the cooking area. You can see the water stains on the ceiling. The insulation is wet. There has been some things done to it but not completely.

**Campinha:** On 4/21/2010 we gave him an Order to Correct. We gave him 14 days at that point, which would have brought him to the middle of May. And when you went back on inspection in the middle of May, what did you find?

**Flaherty:** I have not been able to get into the house since then.

**Campinha:** The tenant would not let you in?

**Flaherty:** She is never there.

**Campinha:** My question is and please don't misunderstand this, but why is she still there?

**Flaherty:** I don't know. I am going to listen to Mister Bass but I am going to ask for something. I want her here. She is missing all these compliances and meetings. I

would like to hear her side or her position because I have some concerns. If I am going to be in an environment that is detrimental to my health, if I have the means and ability to move out, I am going to move out. That is why I would like to hear from her, what is going on. Mister Bass?

**Bass:** (Mister Bass is too far from the microphone to accurately hear his comments).

**Campinha:** Do you have any pictures of what you have done?

**Bass:** No.

**Campinha:** A mold test simply involves collecting air.

**Bass:** He did look at the work and he said that was normal wetness. He definitely recommends that we fix all ....., which we did. The problem really is that she has been promising to move for 6 months. I really believe she can't find a place because she is [340] and word has gotten around that she sells drugs, pays no rent.

**Campinha:** Is this housing?

**Bass:** Oh yes, Section 8.

**Campinha:** So, how come they are not involved?

**Bass:** Well, they don't bother to inspect. In fact I don't think they inspected it first.

**Campinha:** How can they approve a house without inspecting? How did you pull that off?

**Bass:** I think you need to talk to her and get her side. I have talked to them many times. They say as long as she is there, we have to pay you.

**Campinha:** So, you are getting paid?

**Bass:** I am getting paid, but I have spend thousand of dollars. I put a new roof on.

**Campinha:** She has housing. She has the ability. If you call houseing....

**Bass:** She can't find a place because she has pulled (377).

**Campinha:** I think you need to get ahold of those folks.

**Bass:** My neighbors have begun putting up fences so that they can't be exposed to her.

**Campinha:** This is a police problem. Have they called the police? Suzanne get him on the next agenda with South Shore Housing and the tenant. She is living in an environment that it probably not healthy and we need to resolve this. Lets get some pictures. I want to see some current pictures Dave. Lets get the representatives here and get it resolved.

[Tape 2 – Side 1]

**Ethier:** I went to Court with the guy on Sandwich Road. The Court found in our favor.

Further discussion of Helping Paws, kennel licenses and compliance with regulations. They originally came in for a Thrift Shop. A lady in Cromesett complained about a neighbor who leaves her house open to have feral cats running in and out. She claims her son contracted Lymes disease from these cats.

Animal control saw many violations including fleas, fecal matter and many issues. But

**Animal Control says it is a health matter. We did not hear any notification from Animal control. She is upset because she feels her issues are being ignored.**

**Ethier: The Task Force is going out again Friday. We will make compliance. Safe Summer is self explanatory. There is a guy with a hot dog cart over by Mill Pond Station. He needs to get his permits taken care of.**

**Campinha: I will entertain a Motion to adjourn.**

**Allen: I make a Motion that we adjourn the meeting.**

**Campinha: Motion made and seconded. Meeting adjourned.**

Prepared by: J. Reed  
Date: July 30, 2010

Signed and dated: \_\_\_\_\_

Guy S. Campinha, Chairman \_\_\_\_\_

Charles S. Gleason, M.D., Member Charles Gleason

Diane E. Allen, Member Diane E. Allen

Thomas L. Gleason, M. D., Assoc. Member Thomas L. Gleason MD

Lisa T. Irish, Assoc. Member Lisa T. Irish

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