



**Town of Wareham
Board of Health**

Meeting Minutes

August 4, 2010

Campinha: August 4, 2010, Meeting of the Board of Health. Members present this evening: myself, Guy Campinha, Diane Allen, Lisa Irish.

We will take the first business hearings here tonite and that is 14 North Boulevard. Who is Luz Donato? Is that the tenant?

Ethier: That is the tenant. She was not invited, I believe.

Campinha: But she is on the agenda. Lets move on and when they get here we will bring that up. So, lets move to the 4:10. Its 8 Forest Street and that is G.A.F. Engineering.

14 White Pine Avenue, Norfolk-Ram Engineering – Variance to Local Regulations- Upgrade

Why don't we move down to the 4:15, 14 White Pine Avenue. Everyone is here. All right. This is a continuation from back in July. Discussion of set back issues and the Title V and Board of Health Regulations. Could you come up and identify yourself.

Higgins: My name is Brenda Higgins and I live at 12 White Pine Ave. Basically, I thought the meeting was mainly about him putting a septic close to the conservation land behind us. I guess I didn't really understand how close it was going to be to our well. I just don't know anything about it.

Campinha: The State says that you have to be a minimum of 100 feet separation between a well and a septic system and that is to protect your quality of your drinking water. One of the things that you would have to do is test your well regularly.

Higgins: That would come out of my pocket?

Campinha: Yes. Because I would mandate at least once a year. I would like to see it every quarter but that is a little over-kill. We want you to be totally aware of what is happening and what he is trying to accomplish. He is doing the best he can in attempting to squeeze something to comply into a very small area. So, your well comes into 90 feet. So, he needs a Variance and our permission to put this system. And if we grant permission, I want your rights protected also.

Higgins: I understand what you are saying. I don't want my well contaminated and I don't want to be the one that gets stuck paying for it down the road if it does.

Campinha: One of the provisions I suggested if you had a problem with your water, that you go to Town water.

Ethier: If I may clarify. The lady that is here, that is less than 100 which is required by the State. The Board allowed that in 2003 because of new instruction and also the Conservation Commission adopted the same rule. So it does say any new construction in Town must meet the 150. For an upgrade you can get a

Variance for upgrades as well as new construction. In the case of the other well, I would say it is at least 100 and we could get the Variance for that here. I think that if you test your well every year. Then you could hold the property owners responsible. From the tests performed shows the water running away from the well. The only other thing is if you ask the person that is proposing the septic system, that they connect you to Town water. They just make the connection and pay for it to go to your house. But you said before that you are not interested in Town water.

Higgins: Before this happened, I was in no rush to get Town water.

Campinha: I have no problem granting this Variance but we want to make sure you are comfortable and that you know what is going on and you agree with us.

Higgins: I am not comfortable making that decision. I mean you guys sit here and I understand what you are saying but I don't know.

Ethier: So the Board could grant the Variance to the well on the other side because it is at least 100. So, may I suggest that we postpone it to the next hearing.

Allen: Would your husband be able to make the next meeting?

Higgins: I suppose if we knew about it.

Campinha: If they agree to Town water, the problem is done. You wouldn't even have to come on August 18th. If you are going to do Town water, we are content with the If they go water.

Ethier: If I may suggest to the Board, they have complied with the requests of the Board from the last hearing and they have continued the retaining wall. They have raised the foot.

Campinha: The only issue is the 90 feet. All the other issues are resolved. If they say no to Town hookup then we need to consult with your neighbors and would have some kind of plan to monitor that well.

Ethier: I suggest that we take a vote to accept the plan as it is excluding the decision on the well until he clears that with her?

Campinha: Absolutely. I make a Motion that we accept the Variances as requested of us other than the 90 feet to 12 White Pine, pending agreement. If the agreement comes through, that there is going to be public water, then all is approved. If there is no agreement, then all is approved except the 90 foot.

Allen: I second the Motion.

Campinha: Motion seconded and it passes.

Allen: But this lady needs to be notified.

14 North Blve;, Luz Donato-Order to Appear/Chapter II

Campinha: Lets go back to the 14 North Blvd.

Ethier: I am going to excuse myself.

Campinha: I think why we have everyone here is because we feel that it is not our issue. We feel that the issue belongs with housing because they are the ones paying the bill and it is their responsibility. We really don't want to be involved in this any longer. Karl Stannon of Stannon Associates.

Stannon: We felt that we should supply her with alternative housing.

Campinha: Our problem is that we looked at pictures and we were concerned if there was compliance. They couldn't get in because the tenant changed the locks. I think it has gone beyond a Board of Health issue. The housing obviously had to

approve the house. Somebody changed the locks. It would be their call as to whether she lives there or is placed somewhere else.

Flaherty: I have not been successful getting in as early as today.

Campinha: So, she has keys to get in the house. So I am going to make a leap and say she changed the locks.

Unk: She has no lease. Her lease was not renewed. She has not removed her items. So, therefore the mold issue never came up until, the first order came April 20th. She had no lease there anyway. She has also come into the office. She has not followed through with the new landlord. She does need to get out of the unit she is in and get into another unit. We have tried several times to work with her as far as getting her out. The last attempt was June 8th.

Allen: She is responsible for finding another place and you approve it.

Unk: Yes. The initial inspection is done by the Board of Health of the new unit. After that the Housing Authority makes sure that Once the lease [015]. She gave me a letter on June 8th that she was in the hospital.

Campinha: So, she got the letter.

Unk: We need an eviction and then we have to take her stuff and put it in storage. We can not get into the house.

Unk: The house is not habitable. And it is she has not paid the rent. The letter from NStar says the repairs are not possible.

Campinha: She wants to stay there, without a lease, get the repairs done and just let her stay there. I really don't think it is a Board of Health issue. I think it is a court issue. She has no lease and so she shouldn't be there. All I am saying is that it is not a Board of Health issue.

Ethier: We are done with the EPA. That ended and we are done with the EPA Smoke Free Homes Campaign. That was very successful. August 17th I am going before the Board of Selectmen to talk about that with Bob Collette telling how successful we were. I am going to go over the binders for the 4 EDS sites. They are completed now with Sandy and Suzanne and the contractor. They put them all together and we are all up to date with everything. And we are going to go before the Board and show them what we have got. Housing Compliance Officer, John Vivarios, is doing a great job. His grant is good until December. I am working on an extension. Chapter II Inspections, there were 3. Perc Tests, there were 6. Title V Inspections performed, there were 5. Complaints – Garbage and Nuisance, there were 3. Food Service, there was 1.

Campinha: Mosquitos.

Allen: Spraying is cancelled for today, too windy.

Ethier: In the next couple of days the temperature is going to be low and if it is too low, they can't spray.

Campinha: Seems like the time of day doesn't matter anymore.

Ethier: We are getting a line set up with the most updated information that people can select an extension and we do not have to deal with them.

8 Forest Street-G.A.F. Engineering-Variance to State & Local Regulations-Upgrade

Ethier: G.A.F., they didn't show up. Suzanne is telling me that said that Kevin asked me to do this. 8 Forest Street.

Suzanne: If he couldn't make it, if you could do it. It was a 5 foot to a

4.75 foot separation. For ground water and the bottom of the SAS.

Ethier: So, its like 2 1/2 , 2 3/4 inches because of the plumbing in the house. Otherwise he will have to put in a pump system. It is a pretty easy Variance. It is a corner lot in Shangri-La.

Campinha: Three inches is not a big deal. I make a Motion that we grant a Variance of the separation requirement of 4 ft. down to 4.75 on the plan of 8 Forest Street in the Shangri-La area.

Allen: I second the Motion.

Campinha: Let me ask the Board's opinion before I go any further. Dr. Gleason and I [389] Buzzards Bay Coalition on their recommendations of sewer and systems and all that. They have put out a final report. But they want me to sign off on it and what I am afraid that means, if I sign something, it is saying that the Board of Health is signing it. And I don't want to enforce anything. I wanted to be sure the Board felt the same or if we should sign it and take it.

Ethier: What usually happens is someone will go to a meeting at the Town Hall and say, I am on that board. He is on the Board of Health and he signed it. So, I would say, no.

Campinha: Okay. I just wanted to be sure.

[Further discussion of the Buzzards Bay Coalition]

[After discussion, Landers-Cauley is coming before the Board at the next meeting regarding 47 Barker Road]

Campinha: Anybody have anything else. Then I move we adjourn the meeting.

Allen: I second.

Campinha: Meeting adjourned.

Prepared by: J. Reed
Date: August 26, 2010

Signed and dated: _____

Guy S. Campinha, Chairman _____

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