

MEETING MINUTES BOARD OF HEALTH OCTOBER 16, 2013

MEMBERS

Present:

Mr. Glenn M. Monterio, Member
Amy Wiegandt, M.D., Member
Catherine Phinney, R.N., Associate Member
Mr. Kenneth R. Ferreria, RLS, PE

Mr. Robert M. Ethier, Health Agent
Mr. Richard Johnson, Health Inspector

Excused: Mr. Frank X. DeFelice, Chairman

PUBLIC HEARINGS

Acting Chair Dr. Amy Wiegandt opened the meeting at 4:00 p.m.

Board voted to move Mr. Ferreria to a voting member due to the absence of Chairman DeFelice.

4:00 p.m. 93 Edgewater Drive, McKinnon & Keese Engineering- Variance to Water Quality.

Sandy Keese, Environmental Planner of McKinnon & Keese Engineering, approached the Board on behalf of Dr. & Mrs. Haglund to request the following variances to upgrade an existing failed septic system.

Proposed SAS to:

1. East property line: 7', (Title 5, 10')
2. Water Table: 4', (Title 5, 5' w/<2min./soil perc rate). Less mounding over the SAS shall help keep the natural grades minimizing any breakout factor. A Ruffco 240 Barrier shall be installed on the north side of the SAS.

3. Strip out edge around SAS 3', (Title 5, 5') In order to prevent the excavation from undermining & caving in the parking area or stone walkway, we request that the strip out around the SAS be minimal.

On a motion of Mr. Kenneth Ferreira and second by Mr. Glenn Monterio, the Board voted to grant the variances.

4:05 p.m. 1 Fathom Lane, Collins Engineering- Variance to Local Regulations

On behalf of Charles Gabriel, Mr. George R. Collins approached the Board with the following variances to local regulations:

Local Upgrade

1. Local Upgrade Approval from section 310 CMR 15.212 of the State Sanitary Code which requires a minimum 4' vertical separation between the high ground water elevation and the bottom of the soil absorption system with a percolation rate greater than 2 minutes per inch. A local upgrade approval allowing a reduction from 4' to 5' is requested.
2. A variance from the Wareham Board of Health Regulation, which requires a nitrogen removing alternative system within 500' of a wetland, is requested. the proposed leaching facility is greater than 100' from the wetland.
3. Variance from the Wareham Board of Health regulations, which require systems to be designed to accommodate one bedroom more than what, actually exists. A variance allowing a design flow based on the existing number of bedrooms (3) is requested.

On a motion of Mr. Ferreira and seconded by Mr. Monterio, the variances were granted with conditions; 1. A revised plan is submitted to the office with corrections to the groundwater separation allowing reduction from 5' to 4'. (2) Land Surveyors Certification is stamped on plan.

4:10 p.m. J & R Towing- Order to Appear

The Board of Health received complaints of employees "Smoking in the Workplace". This is a violation of the MGL Chapter III, Section 31, adopted by the Wareham Board of Health on November 5, 1996 and effective January 1, 1997. This action constitutes a violation of the MGL Chapter 270, Section 22, and 105 CMR. 661.000 regarding restrictions on "Smoking in the Workplace". Mr. Carl Phillips appeared before the Board and was not aware of the Massachusetts Smoke-Free Workplace Law. Mr. Phillips requested a copy of the law be available for him to pick up at the office.

On a motion of Mr. Monterio and seconded by Mr. Ferreira, a motion was made to fine J&R Towing (\$100.00) One Hundred Dollars.

4:15 p.m. 24 Agawam Drive, Jacob's & Driscoll Eng.- Variances Water Quality

On behalf of the applicant, Jacobs Driscoll Engineering, submitted the following requests for local upgrade approvals for purposes of septic system repairs at the above referenced property.

1. A 10' variance (10.0'-1.0') for the setback from the soil absorption system (SAS) to the front property line.
2. A 9' variance (10.0' – 1.0') for the set back from the soil absorption system (SAS) to the side property line of lot 13.
3. A 7' variance (10.0'-3.0') fro the setback from the soil absorption system (SAS) to the side property line of lot 15.
4. A 8.2 variance (10.0-1.8') for the setback from the soil absorption system (SAS) to the water line.

The following variance is requested from the Town of Wareham, Board of Health regulations.

1. A variance from the water quality protection regulation from the requirement to install a nitrogen removal system. The subject soil absorption system is located approximately 100.08' away from the surface water.

On a motion of Mr. Ferreira and seconded by Mr. Monterio, the variances were granted with conditions a revised plan is stamped by surveyor and submitted to the office. The plan is filed with the Conservation Committee.

4:20 p.m. Synthetic Marijuana- Discussion

Acting Police Chief, Kevin Walsh addressed the Board with support, and contributed his input for the promulgation of the new "Synthetic Marijuana By-Laws". Testimony regarding police matters relating to the sale of these substances to children, confirmed the need and importance of this by-law. The regulation consists of a Statement of Purpose, Authority, Definitions, Prohibited Activity and Penalties for Violations. The regulation will be adopted on October 16, 2013 and will go into effect on October 27, 2013. After further review and discussion, the Board voted to accept the regulation.

On a motion by Mr. Monterio and seconded by Mr. Ferreira, the Board voted to accept the Regulation of Synthetic Drugs. Adopted on October 16, 2013. Effective on October 27, 2103.

Old Business- 1. Mr. Ethier will send a letter to Mr. Brier requesting funds to set up 53G account.

New Business- 1. Mr. Ethier will gather information for stable regulation revision.
2. Board Members will attend MAHB Conference on Nov. 16th.

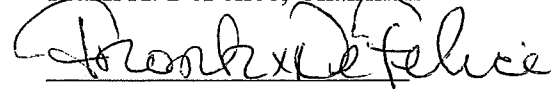
Acting Chair, Dr Wiegandt moved to close the meeting at 6:05 pm. Seconded by Mr. Monterio.

Meeting adjourned at 6:05 p.m.

Respectfully submitted: Suzanne Burke, November 19, 2013.

Signed and dated: _____

Frank X. DeFelice, Chairman



Glenn M. Monterio, Member

Amy Wiegandt, M.D., Member

