



BOARD OF HEALTH MINUTES

Meeting Held at the Houghton Building on **January 9th, 2018** at 6:00 PM

Members Present: Christopher Slade, Chair, Christopher Rogers, Member and Scott Powell, Clerk

Also Present: Jenny Jacobsen, Health and Permitting Assistant and Bill Brookings, Health Agent,
Nashoba Associated Boards of Health

Call to order: 6:03 pm

Minutes reviewed for December 19, 2017.

S. Powell made an amendment to the minutes to include on the fourth line from the bottom of the public hearing, "on existing system improvements when compliance is not practical."

S. Powell made a motion to approve the minutes as amended. C. Rogers 2nd. 3/0.

Mail Reviewed:

Action/Discussion:

- **725 Main Street-Change of Ownership**
 - C. Slade read a letter that he drafted to the new owner of the property concerning Title 5 requirements. Board reviewed the draft and had no issues.
 - **J. Jacobsen to send the letter.**
- **300 Wattaqadock Hill Road-Variance**
 - Board still needs to review the variance letter. J. Jacobsen mentioned that Mr. Wood of Ducharme & Dillis was in touch and noted a pressing deadline. B. Brookings reviewed the plan with the Board. The plan provides 70 feet offset to a well vs. the 100 feet provided. During construction they discovered another outlet pipe from the house. The installer shifted the tank toward the house thus shifting it closer to the well. The Board rendered the decision to approve if Bill has no issues after further review.
- **Emergency Facility Set Up Drill Planning**
 - J. Jacobsen confirmed the date of the drill on January 25, 2018 at 9am.
 - **J. Jacobsen to post the meeting.**
- **720 Main Street Apt 3- Housing complaint**
 - B. Brookings made the Board aware of a complaint of inadequate heat in a rental property
 - B. Brookings noted that minisplit systems can be less effective when the temperature drops to extreme low temperatures. Jim Garreffi of Nashoba Associated Boards of Health has been in touch with the property owner and will follow up as needed.

Public Hearing:

6:30pm- C. Slade opened the public hearing.

S. Sears from David Ross associates for 392 Main Street representing Craig MacCrae and Valerie Ritter presented a revised plan he designed to best accommodate both John Tremblay the abutter across the street and the home owners. The new plan offers 121 feet off the abutting well and 112 feet from onsite well. Vertical offset was raised to 8 feet to groundwater. The current cess pool is 3 feet to groundwater so it is a significant improvement. Two variance have been eliminated. System maintains 150 foot offset to existing wetlands. S. Sears noted that a two pipe system design as in the sketches submitted by J. Tremblay, is non-traditional because you maximize the effluent in the space that you have to work out to meet maximize feasible compliance. He also noted that the designs could mean an additional \$4500 to the homeowner and a possible additional \$4500 if a pump system was required. He referenced Title 5 15.405 paragraph 1: *"In determining whether full compliance is feasible, the Approving Authority should appropriately consider not only physical possibility as dictated by the conditions of the site, but also the economic feasibility of the upgrade costs."* He also noted that the abutter's well is 300 feet drilled well and when a system fails it is usually with a foot or two.

S. Powell asked if B. Brookings would accept a two trench system? Mr. Sears explained that three trench systems are usually best though two trench system would meet Title 5. C. Slade explained that the longer the trenches get the more difficult it is to install and if something goes wrong.

C. Slade asked if Mr. Tremblay wished to comment.

J. Tremblay questioned the Board on what measure it uses to grant a variance. He referenced his letter dated January 3rd as well as his own design options submitted to the Board and S. Sears. J. Tremblay made a point that he'd love to see the well moved and noted that he'd prefer the two trench system and if he takes it to superior court this is what he would be arguing. He questioned if it is fair and equitable that he as an abutter assume the risk.

C. Rogers noted that there is no defined risk here. He noted that the Board has been discussing changing the regulations for several months since elevation is more important to good sanitation than linear distance.

C. Slade made a motion to approve the plan but hold the permit for 10 days giving Mr. Tremblay an opportunity to contact DEP. C. Rogers 2nd. 3/0.

C. Slade closed the hearing.

Action/Discussion cont.:

Regulation Discussion and Possible Hearing Date Scheduling-

Board reviewed proposed revisions.

Public hearing date set for February 6th at 6pm.

J. Jacobsen to send regulations to Ducharme Ross, David Ross & Associates, Whitman and Bingham & Jack Sargent requesting input and a copy of the hearing notice.

J. Jacobsen to contact Batco to coordinate recording of the hearing.

Building Permits Reviewed:

- **476 Main Street-** Interior Renovation to accommodate for Dunkin Donuts.
 - Board reviewed the plans. W. Brookings noted that Subway came in under the umbrella of retail so the Board would need to accept the use of a Dunkin Donuts. Bill will have to review the and the system. He reminded the Board that when paving was done they respected the new tank but they paved over the old septic tank and grease trap.
- **626 Main Street-** Dressing Room build-out (B. Brookings signed 1/2/2018)

Septic Permits Reviewed:

- **306 Old Bay Road**
 - Moved to next meeting.
- **437 South Bolton Road**
 - Moved to next meeting.
- **Sawyer Road-** Revised Plan
 - Moved to next meeting.
- **84 South Bolton Road-** upgrade permit
 - C. Slade recused himself
 - Voluntary upgrade
 - Needs a reg 4 variance to the onsite well. At 133 at the closest point. Moddling at 90 inches.
 - **Move to the next meeting.**
- **Main Street permit**
 - Moved to next meeting.
- **Lot 15 Golden Run Road**
 - Variance Free
 - Board approved.

- **Lot 17 64 Mill Pond Road-transfer**
 - Moved to next meeting.
- **Lot 5 Sugar Road- revised permit**
 - Moved to next meeting.
- **42 Annie Moore Road**
 - Upgrade to a failed system with a spongy area.
 - Local upgrade approvals.
 - Length of sewer line will require a deed notice.
 - **J. Jacobsen to send a letter to include deed language.**

Inspections reviewed:

- **32 Century Mill Road**
 - Permit was released in the 90s. The water quality test was not completed.
 - **J. Jacobsen to send a letter.**

S. Powell moved to adjourn the Board of Health meeting at 7:51 pm, C. Rogers 2nd. Motion passes 3 /0.