

MINUTES OF MEETING OF THE BOARD OF HEALTH

Date of Meeting: March 6, 2024
Date of Transcription: March 7, 2024
Transcribed by: Robin Carbone

1. CALL MEETING TO ORDER BY CHAIRWOMAN

2. ROLL CALL

Members Present: Amy Wiegandt, M.D., Chairwoman
Jillian Morton, Esq., Member
Lawrence Perry, Associate Member
Jean Connaughton, Associate Member
Patrick MacDonald, Director

Also Present: Samantha Monast, Health Inspector
Robin Carbone, Department Assistant
H. Earl Lantery, Consulting Civil/Environmental Engineers

Not Present: Patrick Tropeano, Member

Ms. Morton excused herself to avoid conflict of interest with the continued discussion and possible vote for variance request for 2 Seahorse Lane.

MOTION: Dr. Wiegandt made a motion to move up Ms. Connaughton and Mr. Perry as voting members for this hearing only. Seconded: None. Roll call: None

VOTE: (No effective vote taken)

3. CONTINUED DISCUSSION AND POSSIBLE VOTE REGARDING VARIANCE REQUEST FOR 2 SEAHORSE LANE

No representative from Schneider, Davignon & Leone, Inc. was present. Variances requested Per 310 CMR 15.404:

1. 310 CMR 15.104, percolation testing: Design per bottomless sand filter design manual vs. an actual percolation test.
2. 310 CMR 15.240 (4), Soil Absorption Systems: Design is for 2 bedrooms vs. the 3 bedroom minimum required no percolation test obtained & no room for 3 bedrooms. Deed restriction to be recorded at Plymouth Registry of Deeds.

Mr. MacDonald explained to the Board members all the previous phone calls he had with Mr. Davignon regarding the revised restrictions and the two variances.

During a group discussion the board agreed with the revised plans as long as the deed restrictions include an operations maintenance contract with the singular tank and inspections required for the life of the system.

MOTION: Mr. Perry made a motion to approve the revised plans with a stipulation that a 40 mm. membrane is used instead of a 30 mm. membrane. The Professional Engineer also has to supervise the construction and certify the retaining wall in writing prior to the issuance of compliance. A deed reference prior to the issuance of compliance is also required for the life of the treatment tank and annual inspections to the pressure solutions used in this system. Ms. Connaughton seconded. Roll call: Mr. Perry-yes, Ms. Connaughton-yes, Dr. Wiegandt-yes.

VOTE: 3-0-0 (Unanimous)

MOTION: Dr. Wiegandt made a motion to move Mr. Perry to a voting member. Ms. Morton seconded. Roll call: Ms. Morton-yes, Dr. Wiegandt-yes.

VOTE: 2-0-0 (Unanimous)

4. CONTINUED AND POSSIBLE VOTE REGARDING VARIANCE REQUEST FOR 54 SHADY LANE

Mr. Earl Lantery, the representative from Consulting Civil/Environmental Engineers explained the revised proposed septic plan and variances.

1. Section 15.405 (a) A 2' reduction from the property line offset. (10'-8'=2') (to be set by instrument survey).
2. Section 15.405€ A 95' reduction of S.A.S. from the BVW. (150'-55'=95').
3. Section 15.405(h) A variance of 1' from the depth to groundwater regulation of 5' in soils less than two minutes per inch. (5'-4'=1').

During a group discussion the board agreed on two variance requests and a deed restriction must also be required.

MOTION: Mr. Perry made a motion to grant the variance from the property line to the S.A.S. from 10' to 8', also approved was the bottom of the system to groundwater variance from 5' to 4'. A two-bedroom deed restriction is also required with a deed reference for the lifetime O & M contract with the treatment tank. Ms. Morton – seconded. Roll call: Ms. Morton-yes, Mr. Perry-yes, Dr. Wiegandt-yes.

VOTE: 3-0-0 (Unanimous)

5. DISCUSSION AND POSSIBLE VOTE REGARDING VARIANCE REQUEST FOR 3 EAST EDGEWATER DRIVE

Mr. Bertolo, the representative from JC Engineering explained the proposed septic system upgrade and variances. Variances to 310 CMR 15.211:

1. A 25.0' waiver (25.0'-0.0') for the setback from the septic tank to the coastal bank.
2. A 48.5' waiver (50.0'-1.5') for the setback from the S.A.S. to the coastal bank.

During a group discussion the board agreed to both variances with a deed restriction.

MOTION: Mr. Perry made a motion to approve the variances as requested. The 25' setback from the septic tank to the coastal bank and the 48.5' setback from the S.A.S. to the coastal bank. A deed restriction with the reference to the OM contract with the FAST and the restrictions to three-bedrooms no increase with flow. Ms. Morton seconded. Roll call: Ms. Morton-yes, Mr. Perry-yes, Dr. Wiegandt-yes

6. HEALTH AGENT'S REPORT

Mr. MacDonald read the Agent's report into the record, a copy of which is attached.

7. INFECTION DISEASE REPORT

Dr. Wiegandt explained that we are still seeing cases of covid and the flu. New recommendations from the CDC are advising you to get the new Spike vaccine especially if you are 65 or older.

8. ANNOUNCEMENTS

No announcements at this time.

9. APPROVAL OF PREVIOUS MINUTES – FEBRUARY 21, 2024

MOTION: Ms. Morton made a motion to approve the meeting minutes from February 21, 2024. Mr. Perry seconded. Roll call: Ms. Morton-yes, Mr. Perry-yes, Dr. Wiegandt-yes.

VOTE: 3-0-0 (Unanimous)

10. ANY OTHER BUSINESS NOT ANTICIPATED 48 HOURS BEFORE MEETING

No other business at this time.

11. ADJOURNMENT

MOTION: Ms. Morton moved to adjourn the meeting. Mr. Perry seconded. Roll call: Ms. Morton-yes, Mr. Perry-yes, Dr. Wiegandt-yes.

VOTE: 3-0-0 (Unanimous)

Respectfully submitted
Robin Carbone
Department Assistant

The foregoing minutes were submitted to the Board of Health on:

Attest: _____


Date Signed: _____

3/20/2024

DOCUMENTS REVIEWED AND/OR USED IN MEETING

1. Proposed revised septic plan for 2 Seahorse Lane
2. Proposed revised septic plan for 54 Shady Lane
3. Proposed septic plan for 3 East Edgewater Drive
4. Health Agent's Report
5. February 21, 2024 Minutes