

MINUTES OF THE MEETING OF THE BOARD OF HEALTH

Date of meeting: June 30, 2021,

Transcribed by Kayla Bettencourt

Meeting held at Wareham Town Hall

1. CALL MEETING TO ORDER BY CHAIRMAN

2. ROLL CALL

MEMBERS PRESENT: Amy Wiegandt, M.D., Chairwoman
Catherine Phinney, RN., Member
Kathleen Waldron, Associate Member
Lawrence Perry, Associate Member
Glenn Monteiro, Member

Also present: Robert Ethier, Director
Patrick MacDonald, Health Inspector
Kayla Bettencourt, Department Assistant
Judith Whiteside, Board of Selectman Chairwoman
Brian Grady, G.A.F. Engineering
Jeff Youngouist, Outback Engineering
Michael Pimental, JC Engineering

Absent

3. ANNOUNCEMENTS

Dr. Wiegandt announced Director Robert Ethier's retirement and thanked him for his years of service to the Health Department.

4. VARIANCE HEARINGS:

31 Agawam Lake Shore Drive

Brian Grady of G.A.F Engineering proposed to raze an existing three-bedroom dwelling and construct a new three-bedroom dwelling.

Mr. Grady stated that it is a small lot of 5400 square feet and a denitrification system would be installed.

Mr. Ethier asked what the distance from the pond would be.

Mr. Grady responded that it would be just outside 100 feet.

Ms. Waldron asked if it would be considered new construction.

Mr. Ethier stated that the house is condemned and that he was interested in Mr. Perry's input.

Mr. Perry was concerned about the last time this system was in use and protection of ground water.

Mr. Grady stated that he was unsure of the last time the house was occupied and that it was built in 1962 as a three bedroom.

Dr. Wiegandt stated that the Title 5 regulations regarding new construction make small lots unbuildable.

Ms. Phinney stated that the town will run into this problem with all small lots.

Mr. Ethier stated that more history of the house is needed in order to protect the environment.

Mr. Grady proposed to continue the request in order to get more history of the house from the assessors.

Mr. Ethier agreed that the request will come before the board again at the next meeting which will be held on July 21st.

28 Great Neck Road

Jeff Youngouist of Outback Engineering requested to allow a reduction to the required setback between the proposed leaching field and the existing crawl space as well as in the number of required soil observation holes from 1 to 2.

Mr. Ethier stated that he witnessed the percolation test and waived the second hole due to it being too close to the system.

Mr. Youngouist added that there is no basement and that he will be installing a liner.

Mr. Perry stated that everything on the proposal looked good to him.

Motion: Motion made by Ms. Phinney to allow requested variance, seconded by Dr. Wiegandt.

Roll call vote: Mr. Monteiro- yes, Dr. Wiegandt- yes, Ms. Phinney- yes

14A Old Woods Road

Michael Pimental of JC Engineering proposed the tear down of an existing single family home and the construction of a new single family dwelling with a denitrification system. A 35.4ft waiver for the minimum setback distance from the existing private water supply well on map 129, lot 1038 was requested along with a 58.4ft variance for the minimum setback distance from the inland bank.

Mr. Pimental stated that the existing 3-bedroom septic tank was installed in 2008. He would like to tear it down and install a denitrification system with the leaching as far from the water as possible, which is 91ft.

Mr. Ethier stated that this is the same situation that we have had before and unfortunately, it triggers Title V regulations.

Mr. Pimental said that in 2008 the house was a 2 bedroom with a 3-bedroom septic tank. Today, it is considered to be a 1 bedroom and the owner wants more bedrooms.

Ms. Phinney asked if it would be an I/A system.

Mr. Pimental replied that it will be an I/A system which is an upgrade since the current system is not.

Mr. Tropeano added that there is currently no deed restriction and due to Title V regulations, that must be put in place.

The abutters, Mr. and Mrs. Poyant stated that they are aware of the upgrade. They said that the previous owners had the layout as a 2 bedroom with the sun room as one of the bedrooms. They stated that the new owners are friends of theirs and that they approve of the variances.

Mr. Pimental stated that the leaching would be further away from the abutter's well than the current system.

Mr. Perry stated that they would be tripling the nitrogen loading with this new system.

Mr. Ethier asked what Mr. Pimental's expectations from conservation were.

Mr. Pimental replied that conservation will not issue a decision without the Board of Health's vote. He then requested an alternative to a 2 bedroom and keep the leaching system the same.

Mrs. Poyant stated that the previous owners had the house on the market as a 2 bedroom. It was foreclosed therefore the bank owned it. They want to upgrade their neighborhood and are supportive of the new owner's decisions.

Mr. Perry stated that the home could have been a 2 bedroom in 2008. There is no guarantee that the abutters well will be protected and the nitrogen is a very big issue and suggested a 2 bedroom with a denitrification system as opposed to the 3 bedroom.

Mr. Pimental agreed that a 2 bedroom would work.

Dr. Wiegandt agreed as well and stated that a 2 bedroom with a denitrification system would make the most sense.

Mr. Perry showed his concern regarding the short distance to the abutters well. He stated that the well is more important than the pond and drinking water is priority.

Dr. Wiegandt stated that with the local regulations, increased flow would mean new construction and she was not against it being a 2 bedroom.

Mrs. Poyant stated that their well is shallow and asked if it would make a difference if they made it deeper.

Mr. Tropeano replied that it would make somewhat of a difference to have a deeper well due to more soil and sand to cleanse the water a little more.

Mr. Perry recommended that a Title V inspection be done on the well immediately.

Motion: Motion made by Mr. Monteiro to allow a 2-bedroom denitrification system with a deed restriction along with water testing of the neighbors well prior to installation, seconded by Ms. Phinney.

Roll call vote: Mr. Monteiro- yes, Dr. Wiegandt- yes, Ms. Phinney- yes

5. HEALTH AGENT'S REPORT

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

6. Covid- 19 Update

7. Board vote to appoint and confirm appointment of new Health Agent

Motion: Motion made by Ms. Phinney to appoint Patrick MacDonald as the New Health Agent for the Town of Wareham, seconded by Mr. Monteiro.

Roll call vote: Ms. Phinney- yes, Dr. Wiegandt- yes, Mr. Monteiro- yes

8. Approval of June 2, 2021 minutes

Motion: Motion made by Ms. Phinney to approve minutes from June 2nd with correction of 2 scrivener's errors, seconded by Dr. Wiegandt.

Roll call vote: Mr. Monteiro- yes, Dr. Wiegandt- yes, Ms. Phinney- yes

9. Any other business not anticipated 48 hours before meeting.

10. **Motion:** Motion made by Ms. Phinney to adjourn., seconded by Mr. Monteiro.

Roll call vote - Dr. Wiegandt- yes, Ms. Phinney- yes, Mr. Monteiro- yes

Meeting adjourned at 6:40pm

Attest Catherine Phinney Date 9/22/2021

Clerk, Board of Health