

Minutes of Sharon Board of Health Meeting

July 20, 2016

Present: Jay Schwab, Ken Zoller, Luba Raynus, Ed Welch, Chuck Levine, Beverly Anderson, Jim Andrews

Guests: Kristine Meaney, Bob Shelmerdine, Jaimie Nystrom, Scott Lebow, Alice Hui, Allen Hui.

The meeting began at 7:00 pm in the Sharon Community Center.

The Board reviewed draft minutes from the June 15, 2016 meeting. Luba Raynus provided corrections to formatting and the Board asked for changes to the fourth sentence. Zoller motioned to approve the minutes with changes, Levine seconded, all voted in favor.

The Board considered plans for renovation of a home at 11 Beach Street in Sharon. Andrews noted that the septic system is in failure based on a recent Title 5 inspection, as the soil absorption system is in hydraulic failure and needs to be replaced. Shelmerdine indicated that the property owner will correct the system. Shelmerdine then reviewed the background of the property including the number of bedrooms in the house and placement of the building. The new, unapproved plans provided to the Board were for a three bedroom home, a change from the current design which includes 4 total bedrooms. He also noted that the attic space would be expanded from the current design; however, there would be no closets or doors in the attic space, which would lead directly to a stairway to the lower level. The Board reviewed the memorandum provided by Attorney Lisa Whalen from Gellerman and Cabral regarding the site. Andrews argued that the renovation constituted new construction under Title 5 and Article 7 of the BOH regulations, and that the property is in a water protection district. Shelmerdine argued that the expansion of the home is upwards (i.e., the attic), and that the footprint of the building will not change. The Board discussed the matter and agreed that there should be a deed restriction on the property for a 3 bedroom house, and that the septic system should be repaired. The Board asked that Anderson write a letter to the Zoning Board of Appeals noting that the Board found no problems with the proposed plans, but that the building should include water saving devices and should be restricted to a three bedroom design.

The Board then considered plans for the property at 46 South Main Street, to include a three bedroom apartment and office space on the first level. Kristine Meaney from Site Design Professionals outlined the proposed pressure dosed septic system to replace existing cesspools, and outlined the design flows, which are consistent with Title 5 and Article 7 specifications. Andrews recommended a cap on the system total flow of 640 gpd. The Board agreed to the expansion of the building as shown in the design provided with the two variances requested by the septic system designer, including a change in the system depth to groundwater, and separation of the septic system leaching field, and adoption of a maximum system design flow of 640 gpd. Levine motioned to approve the system as described; Zoller seconded; four members voted in favor of the motion; Raynus opposed the motion.

Anderson went on to describe issues related to signage at the public beaches in town in relation to the recent plan to have a revised sign from the Board of Health related to animals on the beaches. The Board asked Anderson to continue with plans to put up a sign.

Anderson reviewed information from the Lexington Health Department regarding their plans to work with VCDI, a company which presented a tick control plan to the Board of Health at its June meeting. Anderson indicated she would ask for further information on the program as it progressed.

Anderson asked the Board to consider clarify the section of Article 23 a regulation related to floor drains, section 300-23.7 Penalties. Lisa Whelan, with Gellerman and Cabral, is planning to submit the regulations to the Attorney General's Office for final review, but noted that the section only provides general guidance for the fines, such that the regulation will likely not be approved. She suggested more specific language as to the fines to be assigned. The Board discussed identifying fines of \$500 for the first fine; \$750 for the second violation; and \$1,000 for each violation of the regulation thereafter. Raynus moved to amend Article 23 section 300-23.7 to read: "Failure to comply with provisions of this regulation will result in the levy of fines of \$500 for the first violation, \$750 for the second violation, and \$1,000 for each violation thereafter. Each day's failure to comply with the provisions of this regulation shall constitute a separate violation." The note on the draft directly below the proposed section should be deleted. Zoller seconded the motion; all voted in favor.

Schwab asked Anderson to review the Health Department report for the past month. Anderson reviewed testing of the pool at Bay Ridge, which had disconnected the town water supply and now fills the pool with water from an irrigation well. Anderson had required that the water be tested for potability including a screening test from a DEP certified laboratory and a bacterial test. The water passed these tests. Anderson noted that the Board may wish to consider additional testing for the well water such as that for volatile organic compounds (VOC's). She indicated she would outline the testing recommendations for private wells for the Board for the next meeting to inform their decision.

Anderson requested the Board review Article 27, a regulation on waterfowl, subsection 300-27.2. She noted that the definition of a vector is an animal or insect that can carry and transmit a disease causing agent. The regulation refers to bird waste as a vector. It was suggested that the text be changed to read instead "...whose copious feces are a disease risk factor (deleting the word "vector") and present a public health nuisance." Raynus moved to accept the change to the regulation; Zoller seconded, all voted in favor.

Welch moved to adjourn the meeting; Levine seconded, all voted in favor. The meeting ended at 9:10 pm.