

BOARD OF HEALTH
One Liberty Lane
Norfolk, MA 02056

Meeting Minutes

Date of Meeting: Tuesday, February 24, 2015 Town Hall Meeting Room 124

Board of Health Members Attending

Chairman:	Tom Gilbert
Clerk:	Cheryl Dunnington
Member:	Jeff Kane
Admin. Asst:	Betsy Fijol
Others:	Wade Saucier & Tom Houston/Health Agents

Tom Gilbert called the meeting to order at 7:33 p.m.

New Business

Project: Variance Hearing-7 Hanover Street Septic System Upgrade

Applicants: Peter Lavoie/Guerriere & Halnon

Comments: Tom Gilbert called the variance hearing to order at 7:45 pm.

The Board is in receipt of a request for a continuance of the hearing. Wade explained that the engineer has not yet completed the revisions to the design plan as a result of Wade's initial review.

Jeff moved to continue the hearing the March 26, 2015 at 7:00 pm. Cheryl seconded the motion. The motion carried unanimously.

Project: Fiscal Year 2015 Contracts

Comments: The Board signed the contracts for PSC for engineering consulting, Mark Oram for sanitarian services and Walpole Area Visiting Nurse Association for nursing services for Fiscal Year 2015.

Project: Draft Norfolk Board of Health On-Site Sewage Disposal Regulations

Comments: The Board continued the discussion of the draft Board of Health On-Site Sewage Disposal Regulations. The Board had posted the draft regulations on the town website and Wade had distributed the draft to engineering firms the Board of Health works with on a regular basis for public comment.

The Board received three suggestions as a result of the public comment period. The first comment was from a local engineering firm that suggested that maximum ground water period begin in the winter season, such as in January & February, because the ground is still being

affected by live vegetation. The second suggestion was from a town resident and member of the Conservation Commission that each plan has an original wet stamp and signature. The third comment came from a local septic installer who suggested that it be required to add stone under the plastic leaching units. Wade said that aggregate under the plastic unit affects the gallons per day and quality of discharge. The septic installer also suggested omitting the generator transfer switch for the pump electrical system from the regulations.

The Board agreed to revise the Maximum groundwater period to be through April 30th. The Board also agreed to strike the word "portable" for the pump electrical system. The Board also included that a minimum of one set of plans bearing the original stamp & signature shall be submitted.

Project: Approval of Meeting Minutes

Comments: Cheryl moved to approve the July 1, 2014 meeting minutes. Jeff seconded the motion. The motion carried, 3-0.

Project: Pondville Plaza/0 Valley Street Discussion

Comments: Tom explained that there was a law suit filed in Land Court against the Board because the Board of Health had not issued a septic permit for Pondville Plaza/0 Valley Street. Land Court refused to take action on the complaint, but the plaintiff, Rocco Realty, could continue legal action in another court, which could cost the town thousands of dollars. Tom explained that the septic permit has since been issued, with the condition that the bottom of the stormwater drainage system is to be constructed at a certain elevation. The Planning Board has endorsed the site plans for the project that shows the bottom elevation of the stormwater system. Tom said the Town Planner pointed out that if that condition is on the septic permit, then Board of Health is enforcing the building of the stormwater system.

Wade said the Town Planner is speaking for the regulatory office of that septic permit and he has nothing to do with that permit. Tom said that there have been conversations between the plaintiff's lawyer and the Town Planner. Tom said the complaint is that the Board of Health is making a special case for this project because the Board of Health has not been doing stormwater review the last several years and has been leaving it up to the Planning Board. Tom said the law suit will go away if that condition is removed from the septic permit.

Jeff recommended that the conversation continue in executive session.

ADJOURNMENT INTO EXECUTIVE SESSION: At 8:40 p.m., Jeff Kane moved to adjourn the meeting in to Executive Session for the purpose of discussing the litigation strategy regarding Pondville Plaza/0 Valley Street. Tom Gilbert seconded the motion. The vote on the motion carried as follows: Jeff Kane-Aye, Tom Gilbert-Aye, and Cheryl Dunnington-Aye.

The meeting resumed in to regular session at 8:56 p.m.

Next Meetings & Schedule

The next Board of Health meeting will be on March 26, 2015 at 7:00 pm.

Adjournment

The meeting adjourned at 8:58 pm.

Respectfully submitted,


Cheryl Dunnington, Clerk