

**BOARD OF HEALTH**  
**One Liberty Lane**  
**Norfolk, MA 02056**

Meeting Minutes

**Date of Meeting: Thursday, May 3, 2018 Town Hall Meeting Room 124**

**Board of Health Members Attending**

Chairman:	Tom Gilbert
Clerk:	Frances Sullivan
Member:	Jeff Kane
Admin. Asst:	Betsy Fijol
Others:	Wade Saucier/Health Agent

Tom Gilbert called the meeting to order at 7:00 p.m.

**Public Hearings**

**Norway Farms Subdivision Nitrogen Aggregation Plan-continued from 3/27/18**

Mr. Gilbert called the continued hearing to order at 7:00 pm for the Norway Farms Subdivision Nitrogen Aggregation Plan.

Mr. Saucier explained that at the last meeting, the applicant was directed to provide a site-specific mass balance analysis because of concerns to down gradient well heads that service private residents located on Lake Street and Medway Street. Mr. Saucier said that in review of the state's guidelines for aggregation of flows and nitrogen loading, the site-specific mass balance analysis is only applicable to a facility that is served by septic system(s) that are designed to discharge 2,000 gallons per day or greater and is under single ownership.

Jeff commented that that Board took a vote to require the mass balance analysis.

Rick Goodreau, United Consultants, said that they attempted to do a mass balance analysis and presented a plan that showed the mass balance analysis that revealed the nitrogen loading at 9.62 mg/L at the property line, which is below the limit of 10 mg/L.

Wade said that he agrees with the calculations and recommends approval of the Nitrogen Aggregation plan for the Norway Farms Open Space Development.

Jeff moved accept the Nitrogen Aggregation plan for the Norway Farms Open Space Development. Fran seconded the motion. The motion carried unanimously.

7:30 p.m. – **3 Norwell Street** Variance Hearing for Septic System upgrade

Tom Gilbert called the variance hearing for 3 Norwell Street to order at 7:30 pm and informed the applicant of the Board of Health requirements for issuing variances.

Don from Glossa Engineering presented the plan to upgrade the septic system of the exiting 3 bedroom house at 3 Norwell Street and explained that the request is to allow the soil absorption system to be designed and constructed without a percolation test as allowed by Title 5. A perc test was not able to be performed, so soil samples were collected at depths presenting each percolation test for laboratory analysis. The results were a Class I sands, loamy sands with long term acceptance rate of 0.66 gpd/sq. ft. Don explained the system was designed using a Presby System.

Wade commented that groundwater was observed weeping from the side walls of the excavation holes making conditions unsuitable for a percolation test. Wade said the only downside to the proposed design is the final grade over the septic tank.

Jeff commented that the tank could be pushed out further to create a swale between the tank and the foundation.

Jeff moved to grant the variance for 3 Norwell Street as presented to allow the soil absorption system to be designed and constructed without a percolation test as allowed by Title 5 with the condition that surface grades will be graded away from the foundation. Fran seconded the motion. The motion carried unanimously.

### **New Business**

#### **Abbyville 40B Development/17 Lawrence Street Discussion**

Mr. Gilbert said that the Board of Health has a particular interest in this project and the contamination issues due to the prior use of the property as an industrial site and the possible impacts.

Sandra Myatt, Eric Road resident, said that she is part of a group of residents watching this project. She said there are concerns with the water and wondering what the Board's oversight will be and if any additional testing being will be requested.

Tom said the Board just received a report from the applicant's LSP and this Board will work with other town boards to come up with a plan to design and implement a testing strategy. He said that a Request for Proposals has been sent out to consultants to select a firm to be the town's representative in this process.

Jeff said that whoever owns or is going to own the property is going to be responsible for the cleanup.

Larry Wilson, 22 Lawrence Street resident, said that owner of the property was supposed to be doing some testing but that never occurred.

Ms. Myatt asked if it's possible for the town to issue a stop work order on the property. Tom said that there will need to be some work done on the property to do the assessment.

Thomas DiPlacido, project applicant, said that the only work done on the site was at the request of the ZBA. He said that he is not aware of any annual testing that was required by the state and he is working with DEP to address the concerns.

Ms. Myatt said the 2018 data shows that there is Arsenic, Chromium, Lead, Mercury and asked of the town has been testing the wells downstream for arsenic. Mr. DiPlacido said that town records show that there was arsenic found before the Cranberry Meadow subdivision was built upstream from the site, which is caused by a breakdown of bedrock and granite.

Wade recommended that the residents in that area have their private wells tested.

Karen McCabe asked if the contamination plume into the Mill River a reportable event to the DEP and who notifies Franklin.

Mr. Gilbert said the Board of Health is working together with the other town boards to protect the town.

Ms. Myatt said that this is a Zone II for the Town of Franklin public water supply well and asked the Board of Health to speak with Jack Hathaway about informing Franklin of the issue.

**Proposed amendment to the existing “Regulation of the Norfolk Board of Health Restricting the Sale of Tobacco Products” to prohibit the sale tobacco products in any retail establishment that operates or has a health care institution within it, such as a pharmacy.**

Fran explained that Bill #4109 has not been acted on by legislature. She said that she is not singling out one business in town and there is enough data available to show tobacco products are killing people.

Jeff said that he feels this would be over regulating and people should be able to make a decision on what they purchase at a retail establishment.

Tom said that he understands the principal behind Fran's argument, but he feels this regulation impacts one establishment in town.

Fran moved to accept the amendment to the existing “Regulation of the Norfolk Board of Health Restricting the Sale of Tobacco Products” to prohibit the sale tobacco products in any retail establishment that operates or has a health care institution within it, such as a pharmacy. Jeff seconded the motion.

The vote on the motion is as follows: Fran-YES to accept the amended regulation, Jeff –NO to accept the amended regulation, Tom –NO to accept the amended regulation.

The motion failed to pass.

### **MRC Updates**

Fran said she went to a workshop in Walpole and the town now has a boilerplate EDS Plan to work with.

The MRC is going to the Senior Center to sign residents up for the town's emergency notification system, Blackboard Connect, and enter alternative telephone numbers and email addresses.

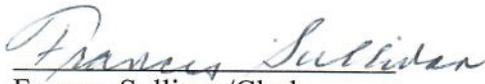
### **Next Meeting**

The next meeting was scheduled for June 12, 2018.

### **Adjournment**

The meeting adjourned at 9:20 pm.

Respectfully submitted,

  
Frances Sullivan/Clerk