

TOWN of HINGHAM

BOARD OF HEALTH

Board of Health Public Meeting

January 8, 2019

A posted public meeting of the Town of Hingham, Board of Health (the Board) was held in the North Central conference room, Hingham Town Hall, Hingham, MA.

Dr. Shilts called the meeting to order at 7:10 p.m.

Members Present:

Kirk Shilts, D.C., Chair

Peter Bickford, Member

Elizabeth Eldredge, M.D., Member

Staff Present (at various times):

Susan Sarni, Executive Health Officer

Paul Brogna, Consultant Engineer (via phone)

Agenda:

Dr. Shilts reviewed the posted agenda with the Board.

Ms. Sarni recommended adding the proposed Plastic Bag Reduction Bylaw due to a deadline issue. Dr. Eldredge said she will provide an update on the Weymouth Fore River Basin air quality/ natural gas compressor station issue at February's meeting.

Thereafter, the agenda for the meeting was established as amended.

Minutes:

The Board reviewed the draft minutes from the November 13, 2018 public meeting.

Thereafter, a motion was made by Mr. Bickford, seconded by Dr. Eldredge and VOTED (unanimous);
to approve the November 13, 2018 meeting minutes as amended.

Semi Public Pool Lifeguard Waiver:

Linden Ponds, 300 Linden Ponds Way

Spokesperson: Mary Whidden

Ms. Whidden requests an increase in unguarded times from 10 a.m. to 2 p.m. weekdays.

- Ms. Whidden said the entire pool is clearly visible from the glass-walled fitness center, which is constantly manned by staff during this period.
- Ms. Whidden said a lifeguard remains present from 2 p.m. to 5 p.m. when children are allowed in the pool as guests.
- Ms. Whidden said during the hours of 10-2, only 6 residents used the pool in September and 5 residents in November.
- Mr. Bickford said when the fitness center is physically occupied with a trained staff person, the "buddy system" safeguard may not be needed.

Thereafter, a motion was made by Mr. Bickford, seconded by Dr. Eldredge and VOTED (unanimous);

to approve a lifeguard waiver for the Linden Ponds semi-public pool to now encompass from 5 a.m. to 2 p.m. Monday through Friday, Saturday from 5 a.m. through 8 a.m. and Sunday from 5 a.m. through 11 a.m; and allow the suspension of the “buddy system” requirement as long as a trained member of the staff is observing the pool area from the fitness center.

Annual Semi Public Pool Lifeguard Waivers

The Board discussed delegating lifeguard waivers to the Executive Health Officer (EHO) for renewal requests.

Thereafter, a motion was made by Mr. Bickford, seconded by Dr. Eldredge and VOTED (unanimous);
to delegate to the Executive Health Officer the granting of lifeguard waiver requests for renewal requests from January through December 31, 2019.

Financial Assurance Mechanism (FAM) Discussion:

Oakwood Circle FRD

LCB Penniman Hill

The Board discussed FAM standards and their escrow mechanisms with Atty. Walter Sullivan of LCB Penniman Hill and Mr. Gary James of Oakwood Circle FRD.

- Dr. Shilts said both LCB and Oakwood Circle are currently developing their respective FAM documents with the Board. He said the Board is in the final stage of updating its Supplementary Septic Regulations, and would like to discuss the Town’s current FAM requirements to assure public safety and support project affordability.
- The Board discussed a FAM escrow account equal to the sum of a treatment plant’s annual fixed operation and maintenance (O/M) costs and a 50% catastrophic replacement cost.
- The Board discussed allowing the existing 25% escrow required by the state with groundwater discharge systems to count toward the Town’s 50% requirement and to allow separate escrow accounts.
- The Board discussed requiring a FAM for all treatment plans discharging 2,000g/d or more.
- The Board discussed waiving the FAM requirement for treatment plants discharging less than 2,000g/d (small plants) unless compelling evidence suggests otherwise or for new construction.
- The Board discussed delegating authority to grant FAM waivers to the EHO for small plants.

Thereafter, the Board thanked Atty. Sullivan and Mr. James for their valued input.

Septic Works Construction Permit:

220 Summer Street, New Construction

Representatives: Gary James, PE; Walter Sullivan Esq; and Phillip Austin, homeowner

The applicant seeks numerous variances from the Town’s septic regulations to construct a new soil absorption system (SAS). This matter is a continuation from a prior meeting.

- Ms. Sarni said the Planning Board will conduct a Site Plan Review on Feb. 11th which will include a review of the lot’s extensive drainage issues.
- Mr. James said 3,000 yards of fill is proposed to fill in the lot’s lowland depression. He said surface water will be diverted to a 3ft deep drainage ditch along the street.
- Mr. James said the existing neighboring dwelling (156 East St.) will go from a six bedroom to a four bedroom which will reduce groundwater nitrogen. Ms. Sarni questioned this number of bedrooms in the existing dwelling.
- Mr. Bickford would like to see the drainage calculations and what types of flow the retention basins can accept.

- Dr. Shilts asked if the septic disposal system can be designed without variances. He said the Board recently heard testimony on the protective value of regulation sections VI.9 and VI.12a. He wondered why the lot couldn't be better divided to minimize the drainage problems and eliminate the need for advanced technology and variances.
- Atty. Sullivan said he would like a continuance based on the Planning Board's impending report on drainage.
- Mr. Brogna said there are deficiencies in the roadway based on the grades and existing conditions of the catch basins. He said there are only four catch basins and in a deluge of rain the sheet flow will be forced onto Route 3A, which presently occurs. He is also concerned with roof drainage.
- Dr. Eldredge asked where the driveway flow will be diverted; and Mr. James said the drainage ditch.

Thereafter, a motion was made by Dr. Eldredge, seconded by Mr. Bickford and VOTED (unanimous);
to postpone this application for up to sixty (60) days.

Supplementary Rules and Regulations Discussion:

The Board reviewed the entire draft regulations addressing held-over items from prior meetings.

- The Board revised its definition of a Foundation Wall and sonnet-tube type support piers.
- The Board revisited its 10mg nitrogen at the property line standard to only include lots in our water supply Zone II and Areas Dependent on Private Wells.
- The Board finalized its discussion on treatment plant standards and FAM requirements.

EHO Report:

none provided

New Business:

- **Proposed Plastic Bag Ban Bylaw**

A draft Plastic Bag Ban Bylaw dated 12/17/18 from the Hingham Long Range Waste Disposal and Recycling Committee (HLRWDRRC) was reviewed and discussed, specifically regarding its Board of Health enforcement provision.

Thereafter, a motion was made by Dr. Eldredge, seconded by Mr. Bickford and VOTED (unanimous);
to support the HLRWDRRC's Plastic Bag Bylaw proposal.

Scheduling

The next public meeting is scheduled for Tuesday, March at 7p.m.

Adjournment

The meeting adjourned at 10:10 p.m.

Documents reviewed during the Public Meeting:

- *Meeting agenda, 1/8/19*
- *Draft meeting minutes, 11/13/18*
- *Linden Ponds lifeguard waiver letters, M. Whidden, 1/8/19 and 12/19/18*
- *FAM worksheet to calculate 314 CMR 5.15 (5)(b)-draft, Comm. of Mass., 2/15/18*
- *Escrow Agreement for the Immediate Repair and/or Replacement Account, Comm. of Mass., 2/1/17*
- *Oakwood Circle FRD FAM (construction & O/M costs) Estimate, G. James, 11/6/18 and 1/6/19*
- *Draft Oakwood Circle Condominium FAM, Christian Dubois*

- *LCB Penniman Hill - Est. Construction & O/M Costs, D. Formato, 5/22/18*
- *Draft Penniman Hill/LCB Penniman Hill FAM*
- *Plan Review re: 220 Summer St., P. Brogna, 10/23/18, 12/22/18 & 1/8/19*
- *Consultant letter re: 156 East St. (220 Summer St.), P. Shea, 10/13/17*
- *Engineer letter re: 220 Summer St., G. James, 12/22/18*
- *Draft Plastic Bag Reduction Bylaw, HLRWDRC, 12/17/18*
- *Supplementary Septic Rules and Regulations (working draft update 11/13/18)*