

**TOWN of HINGHAM**  
**BOARD OF HEALTH**

Board of Health Public Meeting

**March 23, 2023**

A posted public meeting of the Town of Hingham, Board of Health (the Board) was held in the East Hearing Room, Hingham Town Hall, 210 Central Street, Hingham, Massachusetts. Mr. Bickford called the meeting to order at 7:48am.

**Members Present**

Peter Bickford, Chair  
Elizabeth Eldredge, M.D., Member  
Rosemary Byrne, N.P., Member

**Staff Present**

Susan Sarni, Executive Health Officer  
Elizabeth Nee, Health Agent

**Public Meeting Minutes**

The Board reviewed the draft meeting minutes of February 16, 2023.

Thereafter, a motion was made by Ms. Byrne, seconded by Dr. Eldredge and VOTED (roll call); **to approve the Public Meeting Minutes of February 16, 2023, as amended.**

*Members in favor: Eldredge, Byrne and Bickford*

*Members opposed: none*

**Action Items**

4 Kerri Lane, (Lot 3) New Construction, (former 101 Gardner Street Definitive Subdivision)  
Representative: Mr. Paul Seaberg, Project Manager, Grady Consulting, LLC

- Mr. Seaberg was before the Board asking to allow the use of the percolation test that are greater than 2 years old. (2years and 7 months). The test holes were conducted in August 13, 2020.
- There was also additional information requested which was provided per Mr. John Chessia, PE, in a letter dated March 2, 2023.
- Mr. Chessia briefed the Board of his findings for the test pits that were conducted in August of 2020 and it was all sand and gravel. The proposed system will be high and there are no wetlands within 100 feet. He suggested that a new test pit could be conducted at the time of excavation of the leaching field. It would be disruptive to do another hole but reiterates it may be a good idea because the water table is different in the spring than what you would see in August.
- Once the Planning Board approves this, the Board could put a condition to have another test pit done. Not a percolation test, just a test pit to confirm the soils.
- Dr. Eldredge asked Mr. Chessia if the Board could approve this request. Mr. Chessia recommended that if you do approve it today to approve it with condition.

- Dr. Eldredge inquired about the distance to the wetlands and questioned if they could they be within 200 feet. Mr. Chessia suggest that if you are concerned or questioning it as a Board, you may have to look into it. Ms. Sarni confirmed that Conservation signed off on this plan and once they stamp its approved then she starts her review.
- The wells were submitted on a separate plan because the plan was so big. Mr. Chessia suggested that the overall view of the well locations should overlay/included on the subdivision plans; easier for reviewing.
- Dr. Eldredge questioned whether there was a septic system in the abutting area(s) and wondered if they should be on the plan. Mr. Chessia stated that as long as they are 10 feet from the property line then the SAS should comply.

*Ms. Margaret Doolen, Resident in Attendance  
121 Gardner Street, Hingham, MA*

- Ms. Doolen is a resident and came to the meeting to express her concerns as an abutter and feels that her area is being compromised. She stated that she has two wells on her property and did not hear it being addressed. There is a dug out well and an easement to the other well.
- Mr. Seaberg confirmed that all abutters were notified.
- Ms. Doolen has town drinking water and these wells are irrigation wells that need to be 100 feet away.
- Dr. Eldredge stated that the plans show that the proposed septic system are approximately 135 feet away from Ms. Doolen's wells.
- Confirmed in conversation, Mr. Chessia stated the well with the machine, not the dug out well, is the one being used.
- Ms. Doolen expressed concern that with the change in climate that she is experiencing rainwater and runoff and has puddles. She stated she is next to Lot 3 (northeast), wondering if her lot will take a lot of the drainage with the soil, and so therefore do the percs need to be repeated? She has never seen puddles like this before.
- She also expressed concern regarding the dead trees and Mr. Seaberg said that they still need to analyze the area before they clear the lot and then they need to submit their findings to the Planning Board.
- Mr. Chessia confirmed that there are very good soils in this area. Possibly these are kettle holes that can be blocked by leaves and debris which would cause it not to drain properly and though he did not do a drainage review most likely the Planning Department would.
- Mr. Seaberg stated that his office did submit those plans to the Planning Board and Pat Brennan approved them.
- Ms. Doolan also wanted to clarify that the application states a 5 bedroom and Ms. Sarni confirmed that the proposed septic system is for a 4 bedroom.

Thereafter, a motion was made by Ms. Byrne, seconded by Dr. Eldredge and VOTED (roll call); **to approve the variance for the expired test pits of August 13, 2020, under the conditions that the Planning Board approves the site plan without any substantial changes and that a test pit will be dug in the the SAS on Lot 3 to check for groundwater before building. This must be witnessed by the Consulting Engineer and completed by April 30, 2023. Also, need to verify that the two wells for 121 and 125 Gardner are at least 100 feet away from the proposed septic system and revise the plan from March 6, 2023, showing the setbacks.**

*Members in favor: Eldredge, Byrne and Bickford*

*Members opposed: none*

### Discussion

#### **DEP Provisional Use Approval for New Construction**

- Discussion regarding the provisional design of a septic system vs. a conventional system.
- The system in question was a DEP Provisional Approval for Nitrex System for new construction or expansion of use.
- There are not many systems in Massachusetts and still in the testing phase
- The Board would have to grant a variance to Section VII (I) Certified Alternative Technology approved for general use by the Massachusetts DEP may only be used to meet nitrogen loading requirements.

#### **What is the definition of New Construction?**

- No discussion

### New Business

#### **95 Martins Lane:**

- The Board voted unanimously to amend their agenda for items not anticipated within 48 hours of the posting. As a result, the Board added 95 Martins Lane to the agenda.
- Ms. Sarni reported that she received information that there was ledge blasted in the area of the proposed leaching field (SAS). This is a proposed 4-bedroom dwelling with a crawl space foundation. Once the plan is designed, you cannot blast in the field and if you hit ledge while excavating then you are to call the Health Department.
- Mr. Terry McSweeney is the engineer and designed the plan for this address. He was not aware of this blasting in the field.
- Mr. Chessia gave a recent example of a similar situation at 3 Home Meadows and when they hit ledge they stopped and they contacted him.
- Ms. Sarni requested a stop work order at 95 Martins Lane from the Board until she gets out to the site with Mr. McSweeney and Mr. Chessia to evaluate.

Thereafter, a motion was made by Dr. Eldredge and seconded by Ms. Byrne and VOTED (roll call); **to put a stop work order for the entire site on all work on 95 Martins Lane consisting of installing/building any permanent structures. The Board directed the Executive Health Officer and Consulting Engineer to conduct a site visit to determine ledge and groundwater along with the Design Engineer. The applicant will be required to pay the consulting engineer's fees for review.**

*Members in favor: Eldredge, Byrne and Bickford*

*Members opposed none*

## **EHO REPORT**

- No Updates or Discussion

### **Scheduling**

The next meeting is tentatively scheduled for Thursday, April 20<sup>th</sup> at 7:45am or 7:00pm

The following meeting is scheduled for Friday, May 12, 7:45 am Friday

### **Adjournment**

The public meeting of the Hingham Board of Health adjourned at 10:00am

Respectfully Submitted,  
*Elizabeth Nee, Health Agent*

### ***Documents reviewed during the Public Meeting:***

- *BOH of Health Meeting Agenda*
- *Board of Health Public Meeting Minutes from February 16, 2023*
- *Grady Consulting, LLC Letter to the Board re: #4 Kerri Lane – Proposed Septic System*
- *Application for a Variance/Divergence for #4 Kerri Lane*
- *Chessia Consulting Services, LLC to Ms. Susan Sarni, re: Proposed Septic System, #4 Kerri Lane*
- *Summary of Issues re: #4 Kerri Lane*
- *Nitrogen Analysis for #4 Kerri Lane*
- *Summary of Issues for Discussion for 38 Turkey Lane*
- *Per- and Polyfluoroalkyl Substances (PFAS) Report Summary*
- *Well Location Plan for #4 Kerri*