

TOWN of HINGHAM BOARD OF HEALTH

Board of Health Public Meeting

May 20, 2021

A posted public meeting of the Town of Hingham, Board of Health (the Board) was held remotely by telephone as an alternate means of public access pursuant to an Order issued by the Governor of Massachusetts dated March 12, 2020 suspending certain provisions of the open meeting law.

Mr. Bickford called the meeting to order at 7:20 p.m.

Members Present

Peter Bickford, Chair

Elizabeth Eldredge, M.D., Member

Kirk Shilts, D.C., Member

Staff Present

Susan Sarni, Executive Health Officer

Elizabeth Nee, Health Agent

John Chessia, Board Consultant Engineer

Meeting Minutes

Mr. Bickford reviewed the meeting minutes of April 15, 2021 with the Board.

Thereafter a motion was made by Dr. Eldredge, seconded by Dr. Shilts and VOTED (roll call);

to approve the meeting minutes of April 15, 2021 as drafted.

Members in favor: Bickford, Eldredge & Shilts

Members opposed: none

Definitive Subdivision Application

101 Gardner Street

Spokespersons: Paul Seaburg, Grady Consulting and Atty. Bill Ohrenberger

Dr. Shilts disclosed that Atty. Ohrenberger has done legal work for him in the past but does not feel it necessary to recuse himself

- Mr. Bickford stated the Board is not reviewing specific septic plans, but just the site's overall concept.
- Mr. Seaburg said they conducted additional soil testing and obtained information about the abutters' wells. He said all test pits demonstrated favorable conditions and none of these wells serve as a domestic water supply.
- The three (3) lots involve Lot #1 at 50,202 sq. ft. and 4 bedrooms, Lot #2 at 81,966 sq. ft. and 6 bedrooms, and Lot #3 at 50,098 sq. ft. and 4 bedrooms.
- Nitrogen loading calculations should be done using the BoH's template.
- Atty. Ohrenberger stated there is no right of first refusal for the Town linked to the golf course property.
- Water will be supplied by the Weir River Water System.

Thereafter a motion was made by Dr. Shilts, seconded by Dr. Eldredge and VOTED (roll call);

to send a favorable letter to Hingham Planning Board regarding the Definitive Subdivision proposal for 101 Gardner Street according to plans dated 2/26/21, revised 4/29/21.

Members in favor: Bickford, Eldredge & Shilts

Members opposed: none

Executive Health Officer (EHO) Report:

COVID-19 Updates

- Ms. Sarni said Hingham High School will have prom off-site after graduation, but there will be no sleepover at the high school after.
- Ms. Sarni said there will be no Independence Day holiday fireworks this summer.
- Ms. Sarni said the July 4th Road Race and Parade are tentative but likely.
- Ms. Sarni said Town Hall will open on June 1st, unvaccinated employees are advised to wear a mask. The Town Hall will be open to the public on June 14th. Dr. Shilts suggested the Board require that unvaccinated visitors to Town Hall are notified that they should wear a mask indoors and provide them with a mask if they don't have one. He said just the notice is sufficient and enforcement unnecessary. Mr. Bickford said this issue should be run past Town Counsel and the Board could have a 1-topic meeting on this next week.

Sewage Disposal System Works Permit Application:

100 Industrial Park

Spokespersons: Kevin Hixon, BL Companies, and David Krispin, Civil Engineer

- Dr. Shilts asked the Board to definitively determine if this is new construction or a repair situation. He said the criteria are a change of use or a change of flow. He explained this is a warehouse to a warehouse, treatment plant to treatment plant, and bathrooms/no kitchen to bathrooms/no kitchen. He said as long as they do not exceed the septic flow they were allowed to have before, this should be a repair. After discussion, the Board's consensus is that the application is for a repair.
- Three variances are requested; soil depth to cover distances and a setback to a storm drain.
- Mr. Hixon said the existing septic system's permit, #98 DEP GWDP, allowed 3,900 gpd.
- Mr. Bickford expressed concern about how to get an accurate flow number, since distribution center/warehouses are a new thing.
- A warehouse has a Title 5 flow of 15 gpd per employee. The proposal is to have 139 warehouse workers and 275 drivers on-site per day.
- Mr. Krispin said he assigned only 5 gpd to the drivers since they are not in the building all day long. He said he based this calculation on the Title 5 flow for a Movie Theater. Dr. Shilts said drivers would be on the property twice per-day and likely use the bathroom each time; he said 5 gpd (1/3 of a regular worker) seems low and suggested 7.5 gpd (1/2 of a regular worker).
- Mr. Hixon said the Planning Board limited the number of drivers to 200 per day, not 275. He also said there would be about 35 flex drivers per day who would be in their own vehicles. Dr. Shilts suggested 2.5 gpd (1/3 of a regular driver) for each flex driver.
- Mr. Chessia said a significant issue to discuss is the difference between peak flows during the holiday season and low flow situations for the vast majority of months. He equated the dramatic change in flows to a school. He said where there is not enough flow the biomat dies off and the system fails to work as designed.
- Mr. Krispin said the treatment system is the "Presby" system, which is authorized by the DEP for general use. He said a number of ski resorts use this system which has similar dramatic seasonal flow changes.
- Dr. Shilts said it would be helpful for the applicant to provide actual examples of schools or resorts where this system is successfully being used since this is a large-scale application, rather than a single home, and the Board has not approved one of these systems before.

- Mr. Bickford said the requested soil depth variances would not result in visible mounding. Dr. Shilts added that the Board also granted a similar setback to a storm drain/water body tributary at its previous meeting which was a new/construction change of use application.

Thereafter a motion was made by Dr. Shilts, seconded by Dr. Eldredge and VOTED (roll call);

to continue this application for up to sixty days.

Members in favor: Bickford, Eldredge & Shilts

Members opposed: none

Sewage Disposal Works Construction Permit Application:

220 Summer Street

Spokespersons: Gary James, James Engineering

- The applicant is requesting one variance, a distance from cellar floor to groundwater.
- Dr. Shilts stated that he would not approve any variance without a waterproof system for the basement because prior wetland engineer reports and the Board’s own field inspection that showed this site appeared as a long-standing wetland. He said it is unfortunate how the various applicants of this lot have disturbed the site without prior notifications or approvals.
- Mr. James said he was fine with a basement waterproof system as a condition.
- Mr. Bickford stated concern that the location of groundwater is not known, as is the drainage pipe that was installed across the former wetland field and under the proposed dwelling.
- Mr. James said the water table is 1’7” below the proposed foundation slab. He also said that a 4-inch drainage pipe continues to express water, which he believes comes from a leak from the town’s municipal water system. Dr. Shilts said he saw the corrugated metal pipe that was installed a few years ago and it was more like a 10-inch pipe. Mr. Bickford said no one seems to know anything definitive with this project. Dr. Shilts said the water supply leak theory is farcical where it can be easily identified but hasn’t.
- Ms. Sarni said the Planning Board is meeting to discuss this project next week, and any Board action would depend on the Planning Board allowing this project to move forward.
- The Board requested that Mr. James acquire more information on the current site and its drainage, the size and elevation of all existing pipes, the date they were installed and the purported groundwater sampling results.

Thereafter, a motion was made by Dr. Shilts, seconded by Dr. Eldredge and VOTED (roll call);

to continue the 220 Summer Street application for up to 60 days.

Members in favor: Bickford, Eldredge & Shilts

Members opposed: none

Scheduling

The next meeting was scheduled for June 10, 2021 at 7:15 p.m.

Adjournment

The May 20, 2021, public meeting of the Hingham Board of Health adjourned at 10:18 p.m.

Respectfully submitted,
 Andrea Benedetto, Administrative Secretary

Documents reviewed during the Public Meeting:

- *Draft agenda for 5/20/21*
- *Draft meeting minutes of 4/15/21*
- *Report from J. Chessia, RE 101 Gardner St., 5/11/21*
- *Report from J. Chessia, RE 100 Industrial Park Rd., 2/11/21*
- *Report from J. Chessia, RE 100 Industrial Park Rd., 5/13/21*
- *Basis of Septic System Design letter from BSC Group, RE 100 Industrial Park Rd., 1/22/21*
- *BoH Minutes of 1/8/19 & 4/18/19, RE 220 Summer St.*
- *Letter from R. Silley to Hingham Bld. Commissioner, RE 220 Summer St., 5/5/21*
- *Septic Plans from G. James, RE 200 Summer St., 3/15/21*