

**PUBLIC NOTICE POSTING REQUEST  
TO OFFICE OF TOWN CLERK**

**TIME STAMP**

**ORGANIZATION: Board of Health**

**MEETING X    PUBLIC HEARING     (Please circle/check appropriately)**

**DAY and DATE:** Wednesday, February 21, 2024    **TIME:** 4:30 p.m.

**LOCATION:** Townhall 2<sup>nd</sup> floor meeting room

**PURPOSE:** Board of Health Meeting/Hearing

**REQUESTED BY:** Virginia Bacon, Health Inspector

**ALL MEETING NOTICES MUST BE FILED AND TIME STAMPED IN THE  
TOWN CLERK'S OFFICE AND POSTED ON THE MUNICIPAL BULLETIN  
BOARD 48 HOURS PRIOR TO THE MEETING.  
(in accordance with Chapter 303 Acts of 1975)**

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**AGENDA**

**1 - Septic system review with waivers:**

- **23 Charles Street** - Map 18 Lot 144; plan prepared by Chongris Engineering dated 2/7/24; a Residential (repair/replacement), Haley Dyer (buyer) applicant, requesting the following waivers to Title 5 and local BOH regulations as noted below:

**Title 5:**

Under section 15.401 thru 15.403 Local Upgrade Approvals (LUA) the local Board of Health can waive the requirements of Title 5 only when such regulation cannot be met due to conditions on the property that prevent full compliance with the code.

Pursuant to Title 5 Section 15.404 (1) Maximum Feasible Compliance the goal of Title 5 is FULL compliance; however, under Section 15.404 (3) (a-e), when full compliance is NOT POSSIBLE, the BOH may waive the requirements of the regulations, using the guidelines of Section 15.404, 15.405 and 14.406, to obtain Maximum Feasible Compliance.

Section 15.405 provides a list of the sections of the regulations and code that the Local Board can waive and the order of least impact and maximum compliance in which they should consider the requested waivers.

**CODE:**

- 1 - Pursuant to 310 CMR 15.104(4) Percolation Testing: states that at Least one percolation test shall be performed in every proposed disposal area

In accordance with 310 CMR 15.405(5)(i) the applicant is seeking a LUA to allow the use of a laboratory sieve analysis to determine a percolation rate based upon soil classification, since water seepage into the test hole was encountered during field testing which prohibited determination of a rate.

**DISCUSSION:**

Pursuant to Title 5, when it is necessary to use a lab soil analysis, the designer must use the slowest percolation rate base upon the soil classification, which in this case is Silty Loam Clay - Class III which results in a LTAR or 0.15 GPD/s.f. of leach area.

**RECOMMENDATION:**

Given that there was no other location available for testing, I would recommend that the Board grant this waiver.

**CODE:**

- 2 - Pursuant to 310 CMR 15.211(1) a system is required to be located minimum of 50 feet horizontally setback from all bordering vegetated wetland (B.V.W.) resource area, the applicant is requesting to allow the system to be installed at 24 feet from the B.V.W.

The applicant is also requesting a local waiver from the local BOH regulations section Ch 462-8 (A) which requires that the system SAS be no closer than 100 feet from any pond, river, stream, wetland . . . system is proposed to be located 24 feet from a BVW.

Pursuant to Section 15.405 (1) (e) – a waiver of system setbacks to the B.V.W. is allowable.

## **DISCUSSION:**

The area on the property available to replace the failed system is very limited, the proposed system is located as distant as practical from the identified wetland boundary. The designer is proposing the use of a pre-treatment (waterloo biofilter) unit; which will serve to decrease the effluents TSS and BOD thereby reducing the impact to the Environment and the use of pressure distribution (required) which will effectively distribute the effluent over the entire system area, providing a lower concentration of effluent per square foot.

## **RECOMMENDATION:**

I would recommend approval of the requested waiver for the system setback to the wetland boundary to be 24 feet, subject to the condition that a permit be obtained from the Conservation Commission.

- 3 – The applicant is seeking an “Alternative Waiver Request” in accordance with Section II.5.A. of the MASS DEP “Standard Conditions for Secondary Treatment units Approved for Remedial Use” for a reduction of 43% in the size of the required SAS area where 50% is allowed under the approval. (using Waterloo Biofilter).

The applicant is also requesting a local waiver from the local BOH regulations section Ch 462-8 (B) which requires that the system SAS be sized for a garbage disposal/grinder. The system is sized for 440 GPD only, with an allowable reduction taken with the use of secondary treatment.

## **RECOMMENDATION:**

I would recommend approval of the requested waiver for the 43 % reduction in the required system sizing, subject to the condition that a deed restriction is filed with the registry of deeds, that discloses the following:

- 1 - the use of the Waterloo Biofilter;
- 2 – the restriction on not installing a garbage disposal/grinder;
- 3 – the requirement for a signed maintenance contract for the Waterloo Biofilter.

- **148 Jewett Street** – Map 18 Lot 144; plan prepared by Doucette Engineering dated 11/30/23, revised 1/24/24 received 1/30/24; a Residential (repair/replacement), Pamela Corkum owner/applicant requesting the following waivers from Title 5 and local BOH regulaitons:

**CODE:**

- 1 - Pursuant to 310 CMR 15.211(1) a system is required to be located minimum of 50 feet horizontally setback from all bordering vegetated wetland (B.V.W.) resource area, the applicant has located the system to be installed at 70 feet from the B.V.W.; which is in compliance with Title 5.

The applicant is also requesting a local waiver from the local BOH regulations section Ch 462-8 (A) which requires that the system SAS be no closer than 100 feet from any pond, river, stream, wetland . . . the system is proposed to be located 70 feet from a BVW.

Pursuant to Section 15.405 (1) (e) – a waiver of system setbacks to the B.V.W. less than 50’ is allowable.

**DISCUSSION:**

The area on the property available to replace the failed system is very limited, due to utilities, driveway and grade, the proposed system is located as distant as practical from the identified wetland boundary, the 70 feet provided is in compliance with Title 5.

**RECOMMENDATION:**

I would recommend approval of the requested waiver for the system setback to the wetland boundary to be 70 feet, subject to the condition that a permit be obtained from the Conservation Commission.

## **2 - Georgetown Landfill Closure Monitoring reports:**

Review the current Tighe and Bond groundwater monitoring reports for Fall 2023.

- discuss impact to private wells and options for additional monitoring efforts by Tighe and Bond;
- discuss current monitoring and costs, time remaining;
- discuss potential alternative permanent solution to long term monitoring.

## **3 - Minutes:**

Approve the minutes of November 16<sup>th</sup> BOH meeting and the minutes of the January 4<sup>th</sup> BOH meeting.

## **4 - Updates:**

- Status of system installs applied for during extension of time:
  - a- 141A North system nearing completion.
  - b- 12 Chaplin Hills system nearing completion.

- Status of Housing complaint at Trestle Way:

Age-span and Protective Services have been contacted and are working with the occupant to correct the existing hoarding conditions in hopes that the occupant can remain in the unit. We have issued an Order to Correct, but have postponed a Condemnation Order and Order to Vacate, until such time as all efforts to assist the occupant have been exhausted.

An eviction process (January 8<sup>th</sup>) was postponed by the Management of the facility, as it appeared that assistance was being scheduled and initiated, however the issues are still not mitigated and additional services are being sought.

**5 - Status of PHEP Multi Town Grant:**

- Draft Iner-Municipal Agreement (IMA)
- Phase III Capacity Assessment
- Meeting with BOS on Feb 26 with Michael R. Hugo, JD; Director of Strategies & Government Relations for Mass. Association of Health Boards (MAHB)
- Timing, potential funds, uses.

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**6 - Status of permit renewals/inspections:**

All business's, and individuals (both residents and non-residents) have been notified of the required renewal dates of their permits. Most have responded and renewed, with the exception of a few dumpster permit which are still outstanding.

**7 - Other Business not otherwise scheduled or anticipated on the agenda.**

**8 - Adjourn:**

Any person with a disability who wishes to attend this public meeting and needs a reasonable accommodation, please contact the ADA Coordinator Orlando Pacheco at [opacheco@georgetownma.gov](mailto:opacheco@georgetownma.gov)