

# **TOWN of HINGHAM**

## **BOARD OF HEALTH**

### Board of Health Public Meeting

#### **March 13, 2019**

A posted public meeting of the Town of Hingham, Board of Health (the Board) was held in the 3<sup>rd</sup>-floor Committee 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:**

Susan Sarni, MPH, Executive Health Officer (EHO)

Paul Brogna, P.E., Consulting Engineer

#### **Agenda:**

Dr. Shilts reviewed the posted agenda with the Board.

Thereafter, a motion was made by Mr. Bickford, seconded by Dr. Eldredge and VOTED (unanimous);  
**to approve the agenda as drafted.**

#### **Minutes:**

The Board reviewed the draft minutes from the February 12, 2019 public meeting.

Thereafter, a motion was made by Mr. Bickford, seconded by Dr. Eldredge and VOTED (unanimous);  
**to approve the February 12, 2019 meeting minutes as drafted.**

#### **Semi Public Pool Lifeguard Waiver:**

##### **Linden Ponds, 300 Linden Ponds Way**

*Spokesperson: Mary Whidden*

Ms. Whidden presented to the Board to ask for additional concessions to the lifeguard waiver granted in January.

- Ms. Whidden would like the pool to be unguarded, unlocked and without the buddy-system Monday-Friday 10am to 2pm. She said an employee in the Fitness Room would be directly observing the pool during this time period.
- She said the door will be locked and swimmers must have a buddy from 5-7am then 6-9pm.
- Guest hours are 2pm to 5pm with a lifeguard present.
- Dr. Shilts asked for the job description of the fitness specialist to include observing and guarding of the pool.
- Mr. Bickford asked that the doors swing out of the pool area sometime in the future.

Thereafter, a motion was made by Dr. Eldredge, seconded by Mr. Bickford and VOTED (unanimous);  
**to approve a waiver from the semi-public pool lifeguard requirement till 12/31/19 contingent on providing the EHO a copy of the fitness specialist's revised job description and estimates for changing the door to swing.**

#### **Animal Facility Permit:**

## **712 Main Street**

*Applicant: Ms. Sarah Carolan*

The Board reviewed the applicant for an animal permit for 2 horses or 1 horse and a pony for 712 Main St.

- Ms. Carolan said that she will provide rodent proof containers for all food, which will not be located near the residential dwelling. She included this pest management procedure within her 1/25/19 facility plan.
- She said she will remove excess manure daily and compost it away from her neighboring dwellings as shown on the proposed facility plan.
- She said she will only have up to 2 horses.

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

**to grant an Animal Facility Permit to Sarah Carolan for 712 Main St.**

## **Animal Facility Permit:**

### **60 Manatee Road**

*Applicants: Anya and Madison Kynski*

The Board renewed its discussion from prior meetings on this proposed Animal Facility permit.

- Ms. Anya Kynski (mother) said she has not been living in the dwelling for months.
- She said she has not yet applied for the Animal Facility Permit because of a family illness. She asked questions about the inspection provision.
- She said her daughter, Madison Kynski, is caring for the snakes, lizards and rodents.
- Dr. Shilts asked if there were more still more than 10 snakes on the property, which Madison Kynski confirmed about thirty.
- Dr. Shilts said there would be at least a yearly inspection by Leslie Badger, the town's Animal Control Officer, and agent of the Board. The inspection would also confirm the stated pest management plan that all rodents (snake food) be kept frozen.
- Madison Kynski said she has already re-homed 10 snakes and is in the process of re-homing more.
- Dr. Shilts said he expects the applicants back in April with a completed Animal Facility application.

**Thereafter, the Animal Permit application for 60 Manatee Road is continued to the next meeting.**

## **Flexible Residential Development (FRD) Application:**

### **90 Ward Street**

*Applicants: George McGoldrick, owner & Brenden Sullivan, civil engineer*

The applicant submitted plans for an FRD to subdivide 6.2 acres into three (3) new residential lots. The applicant is seeking numerous variances from the Hingham Supplementary Rules and Regulations.

- Each lot will be a Form A lot with proper frontage on Ward Street.
- A shared septic system is proposed to serve twelve (12) total bedrooms.
- Mr. Sullivan discussed the conventional yield plan which shows that the lots can support individual septic systems using soil test pit data from 2012.
- Mr. Brogna said the regulation calls for 4 test pits on each lot to properly document soil percolation. Since the plan is to build a shared septic system external to each house lot, the Board is being asked to consider a variance from this requirement.
- Dr. Shilts said the Board is most concerned with the variance from the 250 ft setback to a potable well. He said the Board has historically never granted a variance from this water supply protection provision.

- Mr. Sullivan said the existing private water supply well at 90 Ward St. would be abandoned and the three proposed dwellings would be connected to municipal water. The applicant did not possess letter of availability from Aquarion.
- Abutters from 80, 100 and 104 Ward St. all said they currently have private water supply wells.
- Mr. McGoldrick said he has not discussed with the abutters connecting their dwellings to the municipal water supply.
- Mr. Bickford said he is not in favor of granting a private well setback variance.

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.**

**Discussion:**

**Septic Disposal System, Reserve Area Preparation**

The Board discussed the state regulatory requirement that a septic disposal system's reserve area be sufficient to replace the primary and meet all of the same requirements.

- Ms. Sarni asked for clarification pertaining to new construction and current Board policy which is to install Title 5 sand in the reserve area at the time of construction.
- The Board discussed the Hingham supplementary septic regulation that the reserve and the primary be prepared at the same time and manner.

**Thereafter, the Board gave direction to Ms. Sarni that a septic disposal system's reserve area shall be prepared and protected during construction but not fully constructed with Title 5 sand.**

**Discussion:**

**Areas Dependent on Private Wells**

The Board discussed Title 5 regulation, CMR 15.215(2), and the state's 2016 Nitrogen Loading policy for septic systems.

- Dr. Shilts said the Board should follow through on its comments about the Riverstone 40B application, and identify the specific properties on Ward St. which would fall under the "Areas Dependent on Private Wells" classification.
- The Board discussed creating a map containing the existing cluster of lots on Ward St. served by a private well and their abutting lots for discussion at the next meeting.

**Thereafter, the Board gave direction to Ms. Sarni.**

**Correspondence:**

- **2/16/19 letter from T. Stephen Jones regarding the health risks of natural gas**  
The Board received and reviewed Dr. Jones' letter and will discuss in the future.

**Scheduling:**

The next public meeting is scheduled for Thursday, April 18<sup>th</sup> at 7:00 p.m.

**Adjournment:**

The meeting adjourned at 9:27 p.m.

Respectfully submitted,

Susan Sarni, MPH

**Documents reviewed during the Public Meeting:**

- *Meeting agenda, 3/13/19*
- *Draft meeting minutes, 2/12/19*
- *EHO Lifeguard Waiver letter to Linden Ponds, 1/9/19*
- *Animal Fowl Application for 712 Main Street, 1/25/19*
- *90 Ward Street application for variance/divergence, 3/5/19*
- *90 Ward Street letter, Cavanaro Consulting, 3/1/19*
- *90 Ward Street Engineer Report, P. Brogna, 3/8/19*
- *EHO letter to 60 Manatee dated 1/15/19 & 2/26/19*