



TOWN OF HINGHAM
BOARD OF HEALTH
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April 17, 2018

To: Hingham Zoning Board of Appeals
From: Hingham Board of Health
Re: Riverstone – Hingham MA (Viking Lane)



Dear Chairman Fisher:

The Hingham Board of Health requests inclusion of the following local Hingham Supplementary Septic Regulations, a modified Hingham Supplementary Septic Regulation, and preconstruction requirements to any comprehensive permit the Zoning Board of Appeals (ZBA) may grant to the Riverstone (Viking Lane) 40B housing development.

Local Supplementary Septic Regulations:

• **Section IV (8):**

In connection with applications for disposal construction works permit for a sewage disposal system where the Board reasonably estimates that the maximum daily sewage flow for the project exceeds seven thousand five hundred (7500) gallons per day, the Board in its reasonable discretion may require the applicant to file an application for a plant permit. If, after reviewing both the application for disposal construction works permit for a sewage disposal system and for a plant, the Board determines in its reasonable judgment that the environment and the health and well-being of the residents of the town would be better protected by the utilization of a plant rather than a sewage disposal system, the Board can decline to grant the application for disposal construction works permit for the sewage disposal system.

• **Section IV (10) (X):**

Six (6) sets of plans submitted by a registered professional engineer, signed, dated and certified with a stamp of the person responsible for the design. The plans must be drawn to scale not less than 1" = 20' and contain the following information:

Any and all data required by the guidelines, Title 5 of the state environmental code or the town of Hingham Board of Health. If a plan has been submitted to the Board and a change is later made, such change or modification shall be made by revision change and dated so that it can be easily distinguished from the original plan.

Local Supplementary Septic Regulations (modified):

- **Section VI (8):**

*No sewage disposal system serving new construction or expansion of use shall be designed to discharge more than 110 gallons of design flow per day per ~~12,500~~ **10,000** sq. ft. in lot area.*

The Board requests modification of the local 12,500 sq. ft. standard to only 10,000 sq. ft. The 10,000 sq. ft. value represents the state standard rather than our local standard relative to nitrogen loading protection.

Preconstruction Requirements:

The Board requests the applicant provide the following data identified in Title 5 of the state environmental code guidelines relative to nutrient loading and nitrogen sensitivity in reference to Hingham Supplemental Septic Regulation section IV (8). This information reflects the components of a basic septic Site-Specific Mass Balance Analysis.

- **Hydrogeologic Assessment**
- **Mounding Analysis**
- **Nitrogen Analysis**
- **Groundwater Monitoring Program**

Comment:

The Board has grave concerns over this proposed housing development. Its scarce degree of septic related information coupled with the applicant's apparent unwillingness to acknowledge or respond to the Board's legitimate concerns about potential septic nitrogen groundwater contamination is alarming. The expected wastewater flow from the proposal is the maximum allowed (9,900) for any housing development of any size that still avoids a state-issued groundwater discharge permit. Even though state policy says "*There may be instances where site constraints would require a discharge of less than 10,000 gallons per day of treated sanitary wastewater to obtain a groundwater discharge permit*", and this is an option, the Board nevertheless simply considers the proposed development as unreasonably excessive for this location. This proposal will seriously jeopardize actual and potential sources of potable water and endanger the health and safety of Hingham residents, and the public at large who live or meet proximal to the development. The Board believes the ZBA should consider denying this comprehensive permit due to its profound shortcomings. However, the Board has provided the aforementioned regulatory stipulations and preconstruction requirements as requested.

The Board remains a resource to the ZBA regarding this application or with any other health and safety matter of concern affecting the visitors, residents and businesses of Hingham.

HINGHAM BOARD OF HEALTH

Peter Bickford, Chairman

Elizabeth Eldredge, M.D.

Kirk Shilts, D.C.