

HAMILTON BOARD OF HEALTH

WEDNESDAY, SEPTEMBER 21, 2011

Members Present: Lindle Willnow, Karen Zagorski and Health Agent Leslie Whelan and BOH Administrative Assistant Nancy Stevens.

Meeting Opened: 7:30 p.m. at Hamilton Town Hall

Variance Request – 272 Echo Cove Road (Alan Roscoe, Hancock Assoc.)

Alan Roscoe of Hancock Associates and homeowners met with Board of Health. They had obtained approval from Hamilton Conservation Commission to proceed with construction work on converted A-frame cottage to be done beyond 50' buffer zone from Chebacco Lake.

Existing cesspool serving home is showing signs of failure so Hancock Associates had presented options to the homeowners. Percolation testing was done on upper area of property and impermeable layers were found.

Area suitable for septic system is not too close to lake beside home and leaching system has been sited to maximize available space. Abutters have been notified about proposed septic system.

Homeowners are requesting variances for setback: from septic tank to lot line, from leaching field to lot line, from leaching field to foundation wall and 23% reduction in size of leaching field.

Discussion was on existing grade and grade of area over cesspool that will be brought up. Roscoe said plan drawing that septic installer would use for project would be clear and easy to read. He will provide Whelan with a more easily read copy of the plan and will correct a typographical error that reads 100' to 50' regarding buffer zone to lake.

Roscoe showed Board photographs that illustrated where septic system could be backed up to foundation wall that would not create drainage issues.

Lindle Willnow moved that the Board accept the local upgrade approval waiver request for four variances at 272 Echo Cove Road. Karen Zagorski seconded motion. VOTE: Unanimous.

Variance Request – 2 Village Lane (Dan Ottenheimer, Mill River Consulting)

Dan Ottenheimer of Mill River Consulting is working on a repair to a septic system at 2 Village Lane. The whole neighborhood has a high water table and wetlands are located nearby. Currently house is built on a slab foundation and plumbing connects to a cesspool that drains under driveway to groundwater.

Cesspool will be replaced with a Department of Environmental Protection-approved treatment system (Clean Solutions) to clean up sewage and wastewater would flow into a pump tank leading to a dispersal system. Effluent will be put out in small doses by drip dispersal to spread it throughout leaching area for additional treatment.

Ottenheimer said site constraints necessitate a variance and local upgrade approval request. There are issues with property line setbacks to leaching facility. A silt fence will be used during construction so nothing washes out. He has met with Hamilton DPW Director John Tomasz regarding abutting Town-owned land and street pavement.

Also there is a catch basin that discharges across the street and the septic system design is 46' rather than the 50-foot regulated distance to keep the system on the 2 Village Lane property.

The last regulated requirement is the water table has to be one-foot below the pipes coming in and out of the different tanks so no groundwater will come into the tanks. The groundwater is high and due to the slab foundation where the pipes leave the house cannot be changed. To compensate all tanks used will have rubber boots to be more watertight with material poured directly into concrete.

Ottenheimer said the septic system would have a lifetime maintenance agreement where inspections would be done twice a year to ensure components are functioning properly.

In response to an inquiry from Whelan, Ottenheimer said his firm contracts with a registered land surveyor to confirm all property lines.

Whelan mentioned that Title 5 states if a septic system is located within five feet of the property line a boundary survey has to be done. Ottenheimer said the code specifies a reference to the plan by a registered land surveyor rather than only

using an Assessors map. He noted that his firm has researched and received three other deed and plan references.

Ottenheimer mentioned that the tanks would be located under the driveway and are rated for vehicle traffic.

In response to Willnow's inquiry about how the hydrologic system works on the waste system, Ottenheimer said the wastewater flows into the system from the house through the clean up system into a pump tank where the wastewater goes through the wastewater hydrologic system.

Ottenheimer said this system has two purposes: wastewater moves through small diameter irrigation tubing and there is final filtering to ensure particles do not clog the tubing, and the hydrologic unit breaks the drip irrigation system into a different zone so the same energy efficient pump can be used. Willnow noted that on the plan the hydrologic system should be marked as not drawn to scale.

Ottenheimer also described how the flush return works with small disk filters in a housing in the hydrologic unit when the pump turns on and sewage goes through the filters at 100 microns. At the end of the pump cycle, the pump stops and takes 2 to 3 gallons of water and back flushes the filters. Once a week a dose of effluent is sent through drip tubing at a higher rate to scour out algae or slime that goes to the septic tank.

He added that the solenoid valve is located in an exterior enclosure outside of the house to allow for bi-annual maintenance without the homeowner being home.

Drip dispersal system is independent from the Clean Solutions system and is an approved aerated treatment system. It has a compressor located inside the house that continuously blows fresh air so there is no outside noise issue for neighbors.

The proposed septic system will have a three-foot separation to ground water. This is allowed due to the treatment system.

Whelan notified the Board that she is satisfied with changes made on the plan by Mill River Consulting that she had requested.

Willnow moved that the Board approve the local upgrade request totally four. Zagorski seconded motion. VOTE: Unanimous.

Variance Request – 22 Martel Road (Hayes Engineering)

Zagorski disclosed that she is related to the property owner so the Board would not have a quorum to vote on this variance request until its next meeting when its third member Susan Wilfahrt attends.

Whelan explained that this plan was revised to clean up details for two variance requests. She added that there had not been a request for distance between a fire hydrant and leach field that should be 10' and it is only about 5'. A barrier will be installed and Tomasz was in favor of that protection.

Whelan said this plan has to come to the Board since it requests a variance to the property line and the affected abutter is the Town. She discussed this with Tomasz who was more concerned about the hydrant than the property line. Willnow inquired about the barrier since it will be close to the hydrant especially during construction. Whelan said she had discussed this with Tomasz and he was satisfied with the proposed barrier.

The variance is for property line setback and setback to the foundation from the leach field. There is very little space for the standard septic system as well as accommodation for a 50' buffer to wetlands.

Willnow said speaking for himself he would recommend approval but due to lack of quorum the Board tabled this vote until next month.

Variance Request – 58 Appleton

Whelan said this is another property line variance request where there was discussion with Tomasz since it abuts Town property. The septic tank is supposed to be 10' from the property line and it is 5'.

Willnow moved to amend the agenda to add this variance request. Zagorski seconded motion. VOTE: Unanimous.

Whelan had discussed the Title 5 requirements with the septic system engineer designing the plan and he had located the septic tank closer to the property line versus the house.

Discussion about how plan uses existing plumbing from house that goes to cesspool. Whelan explained that cleans out would be done on the building sewer end from the house to the tank.

The septic system plan includes all proper setbacks to the foundation and other property lines.

Willnow moved that the Board approve the local upgrade approval request for 58 Appleton. Zagorski seconded motion. VOTE: Unanimous.

Discussion – Mosquito Control – Residents concerned regarding WNV

Two weeks ago a mosquito was found in Wenham with West Nile Virus. So the community had truck spraying done near its DPW barn on Grapevine Road where the mosquito was found.

Whelan had spoken to Northeast Mosquito Control in response to inquiries from residents about whether or not Hamilton would have spraying done. No mosquitoes with viruses have been identified in Hamilton during the twice a week collection that are tested. Mosquitoes with viruses have been found in half a dozen Essex County communities.

Discussion about Wenham's Board of Health and Northeast Mosquito Control being responsible for notifying public about whether or not soccer playing would be restricted near the Iron Rail facility.

Northeast Mosquito Control stops collecting mosquitoes for testing at the end of September in Hamilton since the assumption is that there will be a hard frost. If it is too cold for the mosquitoes to be out flying at night then spraying is ineffective.

Whelan said the risk for WNV is considered low in this area. Northeast Mosquito Control would contact the Board of Health if they thought the Town should consider spraying.

Residents who learned about the notification of WNV being identified in Wenham called the Board of Health to inquire if Hamilton was going to spray. Willnow suggested these people should be told the Town is not going to spray based on the fact that no mosquitoes with WNV have been found in Hamilton

and no further ones in Wenham. Also, the Town is communicating with Northeast Mosquito Control and they are testing until the end of September.

Should a mosquito with virus be found, the Board of Health will take this under advisement and spraying will be considered in the vicinity of where the mosquito was found.

Whelan said if residents do not want their properties sprayed they have to write a letter by March 1 to the Town Clerk with a copy placed in the BOH file. The health department would notify Northeast Mosquito Control which properties should be exempt from spraying in the spring and summer and from larvacide that is placed in catch basins annually.

Willnow thought it would be worthwhile to provide this information in the newspaper about the March 1 deadline in February so residents who do not want spraying can be identified as part of the Northeast Mosquito Control's GPS process. This information will be placed on the Town's web site.

Discussion about if larvacide is less detrimental than spraying to other creatures than mosquitoes. Whelan will research the law so the health department will have the correct language.

Discussion about Hamilton's policy developed by previous Board of Health on spraying where it is only done if a virus is found in the community and only if the Board of Health votes to do so. During the mosquito season the Board of Health can change its policy.

Willnow said one of the reasons the Town joined Northeast Mosquito Control was to have local control over spraying rather than the state doing it autonomously in Town.

Discussion – 494 Essex Street (KOA and Barn Application)

Discussion about 494 Essex Street resident not responding to Board's two letters regarding Keeping Of Animal/Barn Application payment and that three phone calls were made since June where Board's Administrative Assistant Nancy Stevens spoke to resident.

The resident also did this last year but eventually made \$35 payment for her two horses. The health department could charge a \$100 late fee. The resident was

notified in the most recent health department letter of the late fee. Effectively as of July 1, the resident does not have a permit to have horses on her property.

Willnow suggested the health department send another letter saying if the \$35 permit fee is not paid the late fee would be enforced. He said health department could talk to the treasurer/collector. Stevens will also talk to Assessors about if any action can be taken. Board advised Stevens to speak to resident again and mention that Board has said to look into legal remedies.

Review – Board of Health Minutes dated July 20, 2011

Board discussed amendments to the minutes. It also received update on recent food safety inspections relative to recent changes in food establishment fees.

Willnow moved to approve the minutes as amended. Zagorski seconded motion. VOTE: Unanimous.

Other business

Whelan has been to the Canterbrook site twice, where a senior housing development is proposed, to do soil tests for drainage.

Regarding the housing development proposed by Peter Gourdeau in Hamilton and Wenham the latest plan includes one house lot in Hamilton.

Discussion was on deed restrictions for Asbury Grove and that the health department will develop a current up-to-date list.

Board noted that Emergency Management meetings are productive working with Public Health Nurse Kim Paskalis and that Zagorski has identified more than 20 volunteers.

Meeting Adjourned:

Willnow moved at 9:06 p.m. to adjourn. Zagorski seconded motion. VOTE: Unanimous. The Board's next meeting is on Tuesday, October 11 at 7:30 p.m.

ATTEST:

cc: Selectmen, Planning Board, Town Clerk, Conservation