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10/16/18*

Town of Carver, Board of Health

Posted in accordance with the Provisions of M.G.L. Chapter 30A, Section 20B

Board of Health meeting minutes for September 18, 2018, Carver Town Hall, Meeting Room 3

Attendees: Arthur Borden, Chairman; Eric Mueller, Member

Also Present: Kevin Forgue, Health Agent

Absent: David Lawrence, Member

Meeting called to order, by Mr. Borden, at 5:00 PM

Public Hearings:

1. On the application of Edward Fuller, requesting the following variances associated with a septic system upgrade at 170 Plymouth Street, Carver, MA, on a 54,886 sq. ft. lot, pursuant to 15.405, Local Upgrade Approval.

310 CMR 15.211 Distances

- a. Required: Soil absorption system shall be 10 feet from a water service.
Provided: Soil absorption system is 5 feet from the water service.
- b. Required: Soil absorption system shall be 10 feet from a property line.
Provided: Soil absorption system is 6 feet from a property line (Plymouth Street).
- c. Required: Soil absorption system shall be 20 feet from a cellar wall.
Provided: Soil absorption system is 7 feet from a cellar wall (crawl space)
- d. Required: Separation to well shall be 100 feet.
Provided: Separation to well is 85 feet.

Brian Grady – Kevin came out to look at property and determined that there was no good material in proposed area. We explored in front of the house by the driveway and found suitable material; that is the plan you have in front of you. Given the constraints that we have, well, building and property lines, this is really the best choice. We are putting in a poly barrier; sewer pipe to be sleeved. Mr. Forgue – On the notice, there is an additional variance (see "d" above). This is a very tight property. Mr. Mueller – Town water yet? Mr. Grady - It's there but not currently available to tie in to. Mr. Mueller – Will they use a different area for parking? Mr. Grady – Yes, the southern area. Mr. Mueller – Retaining wall? Mr. Grady – Water table wasn't bad; shouldn't be any need for a retaining wall. Mr. Borden – Any questions from the audience.? None heard.

Motion to approve the septic system upgrade with proposed variances: Mr. Borden

Second: Mr. Mueller

Approved: Unanimous (2-0)

2. On the application of Benjamin Montillo, requesting the following variances associated with a septic system upgrade at 29 Doreen Way on a 10,000 sq. ft. lot.

Section 15.405 (2) (g)

- a. To allow the installation of a soil absorption system 66 feet from the abutting well to the west, instead of 100 feet.
- b. To allow the installation of a soil absorption system 67 feet from the locus well, instead of 100 feet.
- c. To allow the installation of a soil absorption system 82 feet from the abutting well on the south side, instead of 100 feet.

Mr. Webbe – There are two abutters; we received one response. Currently has a cesspool in the back. We are trying to balance the site. We are trying to keep the septic in the rear yard. Mr. Borden - Any abutters with any questions? None heard.

Motion to approve the proposed septic upgrade with proposed variances, with a 2- bedroom deed restriction: Mr.

Borden

Second: Mr. Mueller

Approved: Unanimous (2-0)

Discussion:

- **Private Hauler Regulation:**

Mr. Forgue – I've looked at these DEP regulations and related them to our town. I've typed them up for you to look at what might be proposed to the town. The items in red are things that I've filled in. I've removed a section from page 5 that doesn't apply to us. Also on page 5, section A – You will need to create some sort of application for this regulation. Annual permit renewal – you will need to define amount. Page 8 – Penalties/enforcement – You need to determine those fees. We could discuss in greater detail at the next meeting. This will give you all a chance to look at it.

- **Donation Bin Regulation:**

Arthur brought in something that I am giving you today to look at. There are a couple of people in the audience that would like to speak to this subject –

Peter Allegrini- 113 South Meadow Rd. I've been talking with Arthur about this for about 18 months. It's my opinion that these donation bins need to go. These boxes are attracting trash. The American Red Cross does not benefit much from this; they only get about .05 per pound. These boxes do not help anyone in our community; the ones in Quickeez go out of state. Just today, I went by Quickeez and saw suitcases, baby carriages etc. This is owned by Windwood Trading, contact - Jim Kelley; this is a profit company. Mr. Forgue – I find that when I go up there and address it, it gets taken care of. The photo you just showed was today; the boxes were emptied last week. Mr. Allegrini – Yes, they are emptying them twice a week. North Carver, up by USA Fitness is just as bad. This is hurting our community. This stuff may not even be coming from members of our community. It's time to get rid of these boxes. Mr. Forgue – This problem is not unique to Carver. We have no authority right now as we have no regulation. Mr. Allegrini – I think the town does have authority; if a property is a mess, the town deals with it. I've sent a message to the Selectmen. I think there is something that we can do. Who has time to regulate this? Mr. Mueller – People have to pay for trash pickup; items that won't get picked up land there.

Mr. Prew - We used to have trash pick up to get rid of stuff like that; now they won't pick it up so where can we go now? Mr. Forgue – Marion, Route 28. Mr. Prew – How much does it cost? Mr. Forgue – Town sticker. Mr. Prew – People just don't want to take the time or trouble to throw it out. Rochester doesn't accept much. Mr. Forgue – In my opinion, the solution is no bins. Mr. Allegrini – Would a television be considered hazardous waste? Is there a way to educate the public on what's available to get rid of some of these things? Mr. Prew – I don't think it's the police departments job to monitor trash but if they drive by and see someone, it should be addressed. Mr. Allegrini – Would this board want to present a bylaw at town meeting? Mr. Borden – We can do it here; we have that authority. Mr. Allegrini – I wonder how many bags of trash are going in them.

Bob Belbin 26 Gate Street – They do serve a purpose when going to specific non profit organization. I've used non profit bins, these are not non profit bins. I don't think it's difficult to determine non profit vs profit. I want the town to look nice; what's going on here does not. We need to make it affordable for our residents to get rid of there trash. Maybe we limit to non profits with limited amount.

Mr. Prew – My wife calls big brother big sister. Mr. Allegrini – We donate to Savers, there are options. Mr. Mueller – Maybe we could get some of that information to the residents.

Mr. Forgue – I've recently learned that the businesses that have these bins are being paid to have them there. I don't know if it's a long process to legally ban them from town. Is there something in Mass Gen law that says we have to accept them?

Mr. Prew – Can you hold the businesses responsible? Mr. Forgue – This is why we need to define regulations.

Mr. Belbin – Just doing a quick search indicates that a city in Illinois banned the bins and then it was reversed, using free speech as the reason. Mr. Borden – Town Counsel can give us an opinion on this.

Mr. Forgue – These regulations also speak to getting permits; right now there is no permitting required. I would need to find out how much money the businesses are getting paid, before you determine fees.

Mr. Mueller – What type of vehicle is picking up the stuff? Mr. Allegrini – What I saw last week was a 26-foot box truck.

Mr. Borden – I agree with Kevin; if there is an application and fee with yearly renewal, there may be fewer of these bins. Hold the property owner responsible as well and require them to co-sign the application. If it's not maintained, the permit is not renewed

Other Business:

Minutes – May 22, 2018, June 19, 2018 and August 28, 2018:

May 22, 2018

The Board is unable to vote on these minutes as only David and Eric were in attendance.

June 19, 2018

The Board is unable to vote on these minutes as only David and Art were in attendance.

August 28, 2018

Motion to approve minutes of August 28, 2018, as written: Mr. Mueller

Second: Mr. Borden

Approved: Unanimous (2-0)

Correspondence:

Next meeting date:

Our next meeting will be Tuesday, October 16, 2018 at 5:00 P.M.□

Adjournment –

Motion to adjourn at 5:56 PM: Mr. Mueller

Second: Mr. Borden

Approved: □ Unanimous (2-0)