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11/16/24

## Town of Carver, Board of Health

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

Board of Health meeting minutes for November 21, 2023, Carver Town Hall, Meeting Room 4

Attendees: Eric Mueller, Chairman; Arthur Borden, Member; Barry Callis, Member

Also Present: Kevin Forgue, Health Agent

Absent:

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

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At the Chair's discretion, the meeting was taken out of order

### Discussion:

- Consideration to have the Board of Health recommend Robert Bentley as the nominee for the Earth Removal Committee –

Mr. Forgue – Bob had come in to ask if the Board would consider nominating him for the Earth Removal Committee. Mr. Forgue read the provisions in the committee description which states that the Board of Health can recommend.

Mr. Bentley – I am really disappointed in what is going on with the committee, in addition to the two members that have left. The committee is down to 4 members. Roger Shores Jr. has also applied. I am a scientist and ran Analytical Balance. I did calculations and have numbers that could help the committee.

*Motion to nominate Mr. Robert Bentley to the Earth Removal Committee: Mr. Callis*

*Second: Mr. Borden*

*Approved: Unanimous (3-0)*

Mr. Forgue – I will submit a letter.

### Public Hearings:

1. On the application of Ten Past Seven Realty Trust requesting the following variances, associated with a septic system upgrade at 22 Cedar Drive on a 10,000 sq. ft. lot, Map 62, Lot 120, pursuant to 310 CMR 15.405 Local Upgrade Approval –

Waiver request under maximum feasible compliance –

- a. To allow a leaching system to be less than 10 feet from property line.

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- b. To allow a leaching system to be less than 100 feet from a private well as follows
  - i. 78 feet from the locus well
  - ii. 71.5 feet from the well at 9 Birch Terrace
  - iii. 91 feet from the well at 11 Birch Terrace

Frank Nichols, Engineer – Mr. Nichols presented the plan to the Board. Mr. Forgue – We need the most recent water test.

*Motion to approve the septic repair system upgrade and grant the necessary set back from the wells, subject to a water sample from the onsite well for 22 Cedar Drive: Mr. Borden  
Second: Mr. Callis*

Discussion:

*Approved: Unanimous (3-0)*

- 2. On the application of Delores Simmons requesting the following variances associated with a septic system upgrade at 2 McFarlin Road, on a 13.503 sq. ft. lot, Map 99, Lot 3, pursuant to 310 CMR 15.405 Local Upgrade Approval –

Waiver request under maximum feasible compliance –

- a. To allow the leaching system to be 13 feet from a foundation wall. A 40-mil impervious barrier is proposed
- b. To allow the leaching system to be less than 100 feet from but greater than 50 feet from a private well as follows
  - i. 56 feet from the locus well
  - ii. 63 feet from the well at 4 McFarlin Road

Frank Nichols, Engineer – Mr. Nichols presented the plan to the Board. Mr. Nichols noted an update to the plan: There are 10 feet, not 13 feet to the foundation wall. Mr. Forgue – The existing pit is actually closer than the one being proposed. Mr. Nichols – The owner of the home has passed away and the daughter is trying to close everything out.

*Motion to approve the proposed septic system upgrade with the amendment of 10 feet to the foundation wall for 2 McFarlin Road: Mr. Borden  
Second: Mr. Callis*

Discussion:

*Approved: Unanimous (3-0)*

#### **Discussion:**

- Topics not reasonably anticipated by the Chairman 48-hours in advance of the meeting –

Mr. Forgue – Santoro's has already gone through site plan approval. They are proposing a boarding and doggie day care at the old Frosty Dog site in North Carver.

Mr. Mueller - Cumberland Farms – I have heard that Georgios is expanding and Cumberland Farms is closing. Mr. Forgue – Right now, Cumberland Farms is just fixing the septic.

Mr. Mueller – The NCWD and the Town have made the decision to open the gate for Middleboro water, for the short term. SWSS will continue to run the plant and stay in compliance with the DEP. They are still working out the small details.

#### **Other Business:**

**Minutes – October 17, 2023**

*Motion to approve the meeting minutes for October 17, 2023, as written: Mr. Callis  
Second: Mr. Borden*


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Discussion:

*Approved: Unanimous (3-0)*

Correspondence:

Next meeting date:

Our next meeting will be December 19, 2023 at 5:00 P.M. 

Adjournment:

*Motion to adjourn at 5:20 PM: Mr. Mueller  
Second: Mr. Callis  
Approved: Unanimous (3-0)*