



TOWN OF DUXBURY

BOARD OF HEALTH MEETING MINUTES

November 19, 2020 6:00 p.m

TOWN CLERK
2023 AUG 18 AM 11:33
DUXBURY, MASS.

ATTENDANCE: Dr. David Brumley, Karen Tepper, Bruce Bygate, Michael Count, Melissa Rosenblatt and Nicholas Leing

Other persons present at the hearing: Tracy Mayo, Health Agent, Pat Brennan, Amory Engineers, Rick Grady, Grady Engineers, and Mark Casey, South Shore Engineers

Remote Meeting Preamble:

CALL TO ORDER: Pursuant to Governor Baker's March 12, 2020, Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020, Order imposing strict limitation on the number of people that may gather in one place, the Town of Duxbury's Board and/or Committee meetings will be conducted via remote participation to the greatest extent possible with members. For this meeting, members of the public who wish to watch the meeting may do so by viewing the Duxbury Government Access Channels - Verizon 39 or Comcast 15 - which will be available via video on-demand through PACTV's website.

1. 45 Seabury Point, Parcel # 101-962-004, Marilyn Commander:

Variance to 310 CMR 15.405(l)(i), to allow the use of a comparative sieve analysis in accordance with department guidance if a percolation test cannot be performed.

Variance to Duxbury Supplemental Rules and Regulations 1.11(1)(a) allowing the proposed constructed 4' above maximum groundwater vs. the required 5' in soil where the perc rate is more than 2 minutes per inch.

- Shayne McGlone explains the soils observed from the perc test and what is needed to upgrade the existing septic system in order to pass Title 5 and sell the home
- Nicholas Leing makes a motion to grant the variance to 310 CMR 15.405(l)(i) to allow for a comparative sieve analysis
- Michael Count seconds
- All in favor David Brumley, Michael Count, Bruce Bygate, Melissa Rosenblatt, Nicholas Leing and Karen Tepper
- Michael Count makes a motion to grant the variance to Duxbury Supplemental Rules and Regulations 1.11(1)(a) allowing the proposed constructed 4' above maximum groundwater vs. the required 5' in soil where the perc rate is more than 2 minutes per inch.
- Melissa Rosenblatt Seconds

- All in favor on the first motion Bruce Bygate, Karen Tepper, Melissa Rosenblatt, Michael Count, Nicholas Leing and David Brumley.
2. **534 Washington Street, Parcel #118-009-207, John and Heath Cully:**
Title 5 local upgrade approval to 310 CMR 15.22(1)(7) to allow the system components to increase maximum allowable depth between 36" to 72" (36'-48" proposed) vs. the required 36'. Adequate venting, access, and H-20 Loading will be provided.
- Nicholas Leing recuses himself
 - Rick Grady explains the proposal; the system is being repaired and moved to allow for a proposed swimming pool on the property
 - Michael Count makes a motion to grant the variance from Title 5 local upgrade to 310 CMP 15.22 (1)(7) to allow the system components to increase maximum allowable depth between 36" to 72" vs. the required 36'. Adequate venting, access and H-20 loading will be provided.
 - Karen Tepper Seconds
 - All in favor Melissa Rosenblatt, Karen Tepper, Michael Count, Bruce Bygate and David Brumley
3. **0 East Street, Parcel #045-045-000, Lovendale, LLC:**
New construction of a vacant lot using construction in fill; Pat Brennan, Amory engineers, has reviewed the submitted plan to make sure it demonstrates that there is no increase in stormwater runoff from the site for the 2, 10 and 25 year storm events as required in the Town of Duxbury Board of Health Supplementary Rules and Regulations 1.15(1).
- Use of Micro Fast Unit to increase flows in a Zone II wellhead protection area. Under 310CMR 15.217 an increase in allowable nutrient loading per acre may be allowed with the use of a technology approved for enhanced nutrient removal pursuant to either the piloting, provisional or general use certification provisions in 310 CMR 115.281 through 15.288*
- This lot consists of 11, 478 sq. ft. and is located in a Zone II wellhead protection area, which allows one (1) bedroom per 10000 sq. ft. of property. Proposed use of the micro fast system to allow for an increase to 2 bedrooms designed for 150 gpd for over 55 years of age.*
- Mark Casey shares his screen and explains the project stating the lot is small at just under 12,000 square feet and in the APOD. We are looking to use some nitrogen credit land, but your Peer Engineer Pat Brennan picked up that this is not in the same mapping of Zone II, we scrapped

that idea and we are doing a 2-bedroom septic design for 55 years and older, where the design flow is 150 gpd.

- Discussion ensued regarding the 2-bedroom limitations and the old road on the plan that abuts the Duxbury School Town property
- Karen Tepper and Melissa Rosenblatt agree that a little more time may be needed to act on this
- Bruce Bygate and Nicholas Leing agree that the Board should move
- Melissa Rosenblatt states we only have a minute remaining and it may not be enough time to read and vote on the variances and then the conditions to put on the architectural
- Dr. Brumley states I don't think we have enough time to get this achieved properly.
- Tracy Mayo states we could continue this with Pactv to just continue and get this achieved. Also, Pat Brennan also reviewed this and approved it
- Dr. Brumley states lets schedule a follow up meeting and asks for a motion to adjourn
- Karen Tepper makes a motion to adjourn
- All in favor Melissa Rosenblatt, Karen Tepper, Michael Count, Nicholas Leing and Dr. David Brumley

4. COVID-19 Updates and Discussions: