

Minutes of the Leverett Board of Health

Leverett Town Hall

Meeting Date: August 6, 2012

Meeting Start Time: 7:15 PM

Board Members Present: Dauchy, Hillman, Phillips, Fair

Absent: Zipkowitz

1. Received from William W. Clark Excavating check# 14014, dated 7/20/12 for \$100.00 for Installers Permit. Issued permit #2012-08. Signed by Phillips.
2. Hillman moved to accept the minutes of the 7/16/2012 minutes as amended. Fair seconded. Motion passed.
3. Dauchy noticed that the status of **60 Camp Road** is still not clear although a building permit was issued for renovation of the existing building. There is still no signed DSCP and Hillman noted that a Deed Restriction is required for the Tight Tank.
4. Received from Cold Spring Environmental Consultant Inc., check# 3767, dated 7/25/2012 for \$150.00 for Title 5 Inspection for **3 Still Corner Road**, owner **Jeff Smith c/o Florence Savings Bank**. Received Title 5 Inspection Report for **3 Still Corner Road**. System Passed.
5. Received from **Anibal Gonzales-Rivera** check#119, dated 7/17/2012 for \$150.00 for Title 5 Inspection for **16 Long Hill Road**, owner **Anibal Gonzalez-Rivera**. Received Title 5 Inspection Report for **16 Long Hill Road**, by Alan Weiss, R.S. System passed.
6. Received from **William J. Sieruta, P.E.**, "as built" inspection for **180 Pratt Corner Road**, owner **John Rathbun**. Inspection stated that the system is in compliance with Title 5 and Local Board of Health regulations.
7. Received Bacteriological Report from Quabbin Analytical dated 7/9/2012 for Leverett Village Coop. Absent of Coliform.
8. Variance Hearing for **32 Cave Hill Road** called to order at 8:02 PM. Present, William J.Sieruta, P.E., **Andre Melcuk, owner**, John Kingston, abutter and Andrea Cole, abutter. This is a variance request to Board of Health Regulation 218-8-5. The Board confirmed that the abutters had been properly notified and that legal notices had been published. William Sieruta, P.E explained that due to site restrictions, topography, and ledge outcrops, a variance is being requested to allow 20 ft. effective leaching system width perpendicular to ground water flow instead of 12 ft. The leaching system cannot be lengthened on the current site enough to provide the required leaching area at the 12 ft. width. Locating a new septic site would require a substantial increase in

the cost of the proposed septic and involve pumping up a substantial grade if a new location could be located. The original lot was percolation tested in 1993, 1995, 1998 and 2001 under less restrictive local regulations. The leaching system configuration is constrained in part by the location of an existing well, the location of which was approved by the Board in 2006. Dauchy explained that the Board of Health has 2 tests for the granting of the variance.

1. The proposed design provides a level of environmental protection equivalent to that required by the regulations.
2. Enforcement of the provision from which the variance is sought must be shown to deprive the applicant of substantially all beneficial use of the subject property in order to be manifestly unjust.

The Board discussed the issues involved including consistency of administration and long past history of decisions. The Board also considered the question of equivalent environmental protection and the consensus was that the proposed design met that test. After discussion with the applicant, Dauchy moved that the Hearing be continued on September 5, 2012 at 8:00 PM. Fair seconded. The motion was approved. A site visit is scheduled for 8/13/2012 at 5:30 PM.

8. **Lindsey Britt** present FRCOG Regional Preparedness Planner explaining certain requirements for the BOH to complete and ways the FRCOG can assist the BOH with our EDS.

9. The Board of Health plans to discuss possible revisions to the current septic system regulations at the 8/20/2012 meeting

Meeting adjourned: 9:35 PM

Next meeting August 20, 2012 @ 7:00 PM

Susan Nagy, Clerk