



Public Health
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DARTMOUTH TOWN HALL

DARTMOUTH BOARD OF HEALTH
DARTMOUTH TOWN HALL - ROOM 315 - 5:00 PM
MEETING MINUTES - Monday, December 9, 2019

Board of Health Members Present:

Leslie E.J. McKinley, Chair
Thomas W. Hardman

Absent:

Lynne Brodeur

Representative of the Town Present:

Christopher Michaud, Director of Public Health

The Chair called the public meeting to order at 5:00pm. on December 9, 2019 in Room 315

Appointment:

None

New Business:

A. Septic Plan(s) requiring no actions:

- a. Resipro LLC, Map 40, Lot 2, 84 Star of the Sea Drive
- b. Celso & Rosalina Soares, Map 64, Lot 9, 1340 Old Fall River Road
- c. Gayle Swicker, Map 19, Lot 21, 684 Potomska Road
- d. John J. Vietas Revocable Trust, Map 183, Lot 74, 94 Faunce Corner Mall Road
- e. Ian Souza, Map 41, Lot 15, Fisher Road

B. Septic Plan(s) for Action

- a. John Vincent, 80 Slades Corner Road, Map 28, Lot 89.

Waivers/ Variance from 310CMR15.00 and Dartmouth Supplemental Regulations:

- 15.405(1)(i) Sieve Analysis in lieu of perc test
- 15.211 Setback to inland bank/ wetlands proposed at 19.3'; 100' required
- 15.211 Property line setback proposed at 5.3'; 10' required
- 15.211 Soil absorption system setback proposed 5' from foundation; 20' required
- 15.211 Septic Tank setback proposed 5.6' from property line; 10' required
- 15.212(a) Separation to groundwater proposed at 3'; 5' required



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- *The septic system designer, Mark Rodrigues, P.E. was present. Mr. Rodrigues presented the design plan to the Board and explained that the property has area limitations due to lot size and wetlands. It was noted by Mr. Michaud that the regulations do not require the design to provide alternative treatment, which the designer has provided.*
- *Present in the audience for the hearing were the following: Michael and Diane Lopes of Destruction Brook Lane; and John Vincent, owner of 80 Slades Corner Road.*

Thomas W. Hardman motioned and Leslie E.J. McKinley seconded to approve the plan submitted by Analysis and Design Engineering, with the following waivers: *Waivers/ Variance from 310CMR15.00 and Dartmouth Supplemental Regulations; 15.405(1)(i) Sieve Analysis in lieu of perc test; 15.211 Setback to inland bank/ wetlands proposed at 19.3'; 100' required; 15.211 Property line setback proposed at 5.3'; 10' required ; 15.211 Soil absorption system setback proposed 5' from foundation; 20' required ; 15.211 Septic Tank setback proposed 5.6' from property line; 10' required; and 15.212(a) Separation to groundwater proposed at 3'; 5' required. Provided that the home owner read and sign an Effluent Tee advisory form, and a grant of restrictive covenant is recorded limiting flow to (3) three bedrooms and notifies of the presence of an alternative septic system which requires periodic testing and maintenance and no further increase in wastewater flow is allowed. All members present voting in favor.*

**b. Maria Leca, 83 Rock O Dundee Road, Map 25, Lot 1.
Waivers from 310CMR15.00 and Dartmouth Supplemental Regulations:**

15.405(1)(i) Sieve Analysis in lieu of perc test

- *Board reviewed site plan and no concerns were raised with the design and the waiver request.*
- *This waiver request requires a grant of restrictive covenant that prohibits an increase in wastewater flow.*

Thomas W. Hardman motioned and Leslie E.J. McKinley seconded to approve the plan submitted by Sitec Inc with the following waiver: 310 CMR 15.405 sieve analysis in lieu of perc test. Provided a grant of restrictive covenant is recorded that prohibits any increase in wastewater flow. All members present voting in favor.



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c. Vernon N III & Susan Hachem Niles, 770 Smithneck Road, Map 104, Lot 1-3
Waivers from 310CMR15.00 and Dartmouth Supplemental Regulations:

15.212(b) Separation to groundwater proposed 4' separation; 3' required

- *Mr. Michaud noted to the Board that this plan was previously approved and re-approval is requested because the system is failed and needs to be replaced. Mr. Michaud further noted that the grant of restrictive covenant had been recorded several years ago and does not need to be a part of any condition to approval. The Board reviewed site plan and did not have any comments.*

Thomas W. Hardman motioned and Leslie E.J. McKinley seconded to approve the plan submitted by S&K Engineering, LLC with the following waiver: 310 CMR 15.212 (b) 4' separation to groundwater required and 3' proposed. All members present voting in favor.

C. Board of Health FY2021 Budget

- Mr. Michaud advised the Board that budget setting will begin in January 2020. Mr. Michaud further noted that Michael O'Reilly, Environmental Affairs Coordinator for the Dartmouth Conservation Commission intends to submit a FY2021 budget with a request for dedicated administrative support personnel. Mr. Michaud noted that this is a Conservation request and not from the Health Department as the two budgets are separate.

D. Gardening and Construction Documents

- Mr. Michaud presented the Board with the Gardening and Construction guidance documents that will be provided for use throughout the town as helpful information for best management practices for gardening or managing soil from small construction projects.

Thomas W. Hardman motioned and Leslie E.J. McKinley seconded to approve the Gardening and Construction Guidance documents. All members present voting in favor.

E. Aquaculture Application to Dartmouth Select Board – Eli Powell, 8 Riverview Avenue, Dartmouth for tract offshore of Little River and Slocum.



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- This was provided for informational use by the Board. No further action at this time.

F. **EPA Approval of Slocum and Little River Watersheds Total Maximum Daily Load (TMDL)**

- This was provided for review by the Board. No further action at this time.

G. **Approve and Accept the Warrants for the Bills Payable Period Ending: August 2019 – September 2019.**

- All Board members present signs the bills provided.

Old Business:

A. **Complaint Log September 11, 2019 to October 24, 2019 - Informational Use Only**

- This was provided for informational use by the Board. No further action at this time.

Minutes

- Minutes for October 28, 2019 were reviewed by the Board members present. All members agreed to approve minutes during next meeting once Lynne is present. No vote at this time.

Meeting Schedule

Next meeting:

- To be discussed -- January 9, 2020 at 6:00 pm

Discussion for Any Item Not Known 48 Hours in Advance

- None

A motion to adjourn was made at 6:32pm by Leslie E.J. McKinley and seconded by Thomas W. Hardman. All members present voting in favor.



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Attest:

Minutes prepared by
Lindsey Rocha
Administrative Clerk

Leslie E.J. McKinley, Chair

Approved by the Board of Health
on January 9, 2020