

# KINGSTON BOARD OF HEALTH MEETING MINUTES

APRIL 23, 2007

The Meeting of the Kingston Board of Health was called to order by : Chairman, Joseph Casna, In attendance were, Vice- Chairman, Jack Breen, Ed King, Dan Sapir, William Watson and Health Agent, Henny Walters.

7:00 Meeting called to order by Chairman, Joseph Casna

**John Veracka, Engineer - 82 Ring Road, 2 Variances 07-01, 07-01A**

Mr. Veracka explained to the Board the reason for the two variances. The Health Agent recommends that the two variances be approved.

Motion: Ed King to approve Variance #07-01 & 07-01A as presented

Second: Jack Breen

Vote 5-0-0, unanimous

**Review Minute of March 26, 2007**

Motion: Dan Sapir to approve minutes of March 26<sup>th</sup>, as presented

Second: Jack Breen

Vote 4-0-1, 1 abstain Ed King

**Departmental Bills Reviewed**

The Board also signed 3 payment schedules for loans.

**Departmental Correspondence Reviewed**

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**Mr. & Mrs. Clyde Turner - 1 School Street**

Mr. Turner wanted to know why he has to do a Title 5 Inspection and his neighbors don't have to do the same? Chairman, Joe Casna told Mr. Turner he is the one that brought it to the attention of the Board that he is having a problem. The Health Agent explained the history since last October. The Turners claimed an odor was emanating from their property on or near a town owned easement. The Fire Department, and NSTAR were contacted and inspections were conducted. Shortly thereafter the Health Agent conducted a few inspections and did not detect an odor. An inspection of the property was also conducted again by the Health Agent, Plumbing Inspector, Thomas Bouchard, Conservation Agent, Maureen Thomas and Building Inspector Paul Armstrong. No odor was detected. Weeks later a call was received in the Board of Health office indicating that the Turner's had hired an Air Quality Testing Laboratory to conduct testing. They stated that the cost would be around \$1200 and the Turners expected the town to pay for it. The Health Agent told the Turners since last October that if the problem continued, a Title 5 Inspection would need to be conducted. The system is over 40 years old and the ground water is high in the area. A letter was sent to the Turners on January 19, 2007, and March 28, 2007, ordering that an inspection of their septic system be conducted to ensure that the system is not in hydraulic failure. The Department of Environmental Protection agree that an inspection of the septic system should be conducted. Dan Sapir asked Mr. Turner if he was asking for a site walk and he replied yes I would like the Board of Health Members to do a site walk of the property. Dan Sapir stated that months ago it was the middle of winter and Mr. Turner called me about the problem and I went to the property and saw the pipe had created its own wetland. I saw that it was all backed up and it looked like it needed to be mucked and cleaned out. William Watson stated that after speaking with other Departments that have been investigating the problem, having a Title 5 done is the logical procedure to follow. But before we go through with that lets just walk the property. Joe Casna stated that is has taken a number of years for this to get in the condition it is in. And it won't change over night even with a new drainage. The Board will schedule a site walk.

Motion: Dan Sapir for Members to schedule a site walk 5/12/07, at 9: a.m. Saturday morning.

Second: Joe Casna

Discussion: Ed King put Turners back on agenda for May 14<sup>th</sup>, Board Meeting.

Vote 5-0-0, unanimous

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**Mark Laubenstein - 5 Smelt Pond present with him Fred Svenson**

Building Inspector, Paul Armstong, sent a Building Application to the Health Agent for review of an addition to the property. The Health Agent sent a letter to the owner ordering him to upgrade his system before she would approve such an extensive addition stating that the cesspool is over 50 years old and consists of one cesspool which overflows into a second one and does not meet Title 5 Regulations, the system is also in a Zone II. She also spoke with Department of Environmental Protection and they agreed with her. Mr. Laubenstein and Mr. Svenson are before the Board to question the order.

Motion: William Watson to request that a Title 5 be conducted

Second: Joe Casna

Discussion: William Watson told the owner that if he pulled a permit for a free standing 2 car garage we wouldn't have to sign off on it. Dan Sapir stated that he doesn't ever recall the Board doing this before. This would be the time to do the upgrade, this is a major renovation. Fred Svenson said we will withdraw the permit and put up a free standing 2 car garage and eliminate the breeze way. William Watson withdrew his motion.

**Health Agent's Report**

Ray Zucker, Plymouth County Mosquito Control is coming to our next meeting. A request will be made for legal services to collect loan money owed by Stephen Boyd of 14 Howland's Lane.

**Old/New Business**

Ed King brought up the issue of toxic waste at the land fill. The only time at this point it becomes an issue is if you disturb it. The land fill is not under the jurisdiction of the Board of Health. Dan Sapir directing the Health Agent to maintain communication with any appropriate agency or Board as she deems fit.

Motion: Ed King to have Health Agent do whatever she deems necessary to alleviate the fears

Second: Dan Sapir

Discussion: William Watson stated that the Board is directing the Health Agent to write a letter. Dan Sapir we are directing the Health Agent to maintain communication with any appropriate agency or Board as she deems fit.

Vote 5-0-0, unanimous

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Motion: Ed King said he would like to schedule a meeting for April 30, 2007, for re-organization after the elections that take place on Saturday, April 28, 2007. The Secretary will post a meeting.

Second: Joe Casna

Vote 3-2, 2 no William Watson, Dan Sapir

Motion: William Watson to adjourn

Second: Ed King

Vote 5-0-0, unanimous

7:50

Adjourn,

Respectfully submitted,  
Linda G. Randall, Clerk

*Linda G. Randall*

Kingston Board of Health