

**HAMILTON BOARD OF HEALTH**  
**WEDNESDAY, JULY 10, 2013**

**Present:** Board of Health members: Lindle Willnow and Susan Wilfahrt, Health Agent Leslie Whelan.

**Meeting Opened:** Lindle Willnow called the meeting to order at 7:01 p.m. at Hamilton Town Hall

**Chuck Johnson – 47 Moynihan Road Variance**

Chuck Johnson, CG Johnson Engineering, noted that he was seeking local upgrade approval and variance from local regulations for 47 Moynihan Road. He explained that the project is a septic system upgrade and the LUA is for 1' reduction in the vertical separation from bottom stone of the field to the estimated high water table – 4' from 5' this would prevent a mound in back yard and there is a fast perc rate.

The second variance request is from local regulations for septic system that is a septic tank/pump chamber combination with Orenco filter vault going to a pressure distribution leaching field. Johnson noted that the cover over the pump would be bolted down fiberglass and if the cover was off and a small child fell in the person would fall 10 inches into plastic and pump not liquid. He added that there is an additional fiberglass cover proposed to the ground surface and a safety grate is proposed over inlet. Johnson said this type of system requires yearly service and maintenance by Clearwater Industries with information reported to the Board of Health.

Discussion ensued about the two fiberglass covers at grade where the Board of Health regulation requires medium duty cast iron covers. Johnson said for the company to do the servicing they require the covers to be at grade.

Discussion addressed LUA and fast perc rate relative to reduction in the vertical separation from bottom stone of the field to the estimated high water table – 4' from 5'. Johnson reiterated that there is a fast perc rate.

Also discussed was the yearly maintenance contract and if the homeowner did not follow through on this it would violate state approval of the system and enforcement would fall to Board of Health. Health Agent Leslie Whelan said with a system such as this that has special technology, the permit would not be

issued until the health department receives a copy of the maintenance contract. But she acknowledged if the homeowner does not renew the contract, the health department does not follow up with local enforcement. She said there are not many systems of this type and that systems with pressurized smaller laterals that are cleaned out annually require a contract. It was noted that a homeowner who does not maintain this system does so at their own peril. Also, it would be expensive for Town to track and follow up with people not renewing contracts.

Discussion ensued about how the bolts may not be continually used for cover at grade but the maintenance service provider would likely re-bolt cover during annual maintenance (at a cost of about \$200 a year) and a safety grate would be used. It was noted that this property's original system had a dry well for the washer and two cesspools that would be replaced with this septic system.

Lindle Willnow moved to grant Board of Health approval for the Local Upgrade Approval request and local Board of Health variance request. Susan Wilfahrt seconded the motion. VOTE: Unanimous. Willnow noted this vote shall not constitute a precedent for other systems with bolted plastic covers.

### **Discussion – Mosquito Update**

The Board reviewed the information on mosquito control that is contained on the Town's website including expanded information on DEET. Discussion ensued about spraying for mosquito control that has begun in metro west sections of state and that the Board of Health has decided spraying was not particularly effective so personal protection measures would be recommended to residents to control mosquitoes.

Whelan explained that Mosquito Control had started testing mosquitoes in Hamilton approximately three weeks ago and no virus has been identified in Northeast district. Mosquito Control has said that the mosquitoes that carry Eastern Equine Encephalitis have high counts this year so it inquired if Hamilton would like spraying to occur and Whelan notified them that the Board would not be in favor of spraying now.

Whelan said she has spoken to Town Manager Michael Lombardo about using a Connect CTY phone call to residents when virus is found in mosquitoes. The call would describe personal protection as the best method of protection and would refer residents to the Town's website. Discussion ensued about how a link should be on the home page of the Town's website directing people to Board of

Health's mosquito page. Also, how the information on this page about mosquito repellent should be organized so all products that describe use on clothing are located in one section and what should be used on skin in another section. The Board gave Whelan amendments to the Board of Health website information.

### **Chip Cheston – 19 Rust Street Variance**

Discussion ensued about small non-conforming lot at 19 Rust Street with an existing deck off the back that would be removed and an addition added to extend kitchen and add a full bathroom and mud room. Contractor Chip Cheston referred to the septic plan and as-built plan and noted that the footprint of the addition would be the same as the existing deck.

Discussion ensued about whether a crawl space to run plumbing or concrete slab on grade with a heated space should be constructed, and that septic tank for standard gravity system is 5' from the house. The variances requested are to replace the footprint of the deck with an addition: 5' from tank versus 10', 2' to leach field versus 10' if this is a slab, 20' if this is a crawl space or foundation.

Discussion addressed how 5' of sand was put around leach field to assist functionality and that addition would be close to leach field that was already tightly fit into the site. The septic system would not be changed although deck would be removed and addition would be constructed in same footprint to meet zoning requirements.

Discussion ensued about if Sonotubes could be used and need for heated space and how frame could be cantilevered in conjunction with slab to accommodate plumbing coming from the basement and out to the addition. The Board noted that it had recently approved a variance for a deck that was cantilevered over a septic tank.

Discussion with property owner confirmed that the deck existed before the septic system was installed in 1997. Also addressed was need for contractor to use the as-built plan to determine where to install slab with three Sonotubes for cantilevering in an effort to keep all of the sand for the leach field. Cheston said hand digging or small excavator could be used and Sonotubes would be dug from the house side and back filled. He explained that a structural reinforced concrete column could be used that requires less digging and is less invasive than a Sonotube so it would minimize disturbance of sand. Also noted was that all of the plumbing from the addition would run back to building sewer.

Discussion ensued about if the variances are granted there would be changes required to the drawings. Cheston said he would do a new foundation plan with slab on grade showing the three tubes as a supplement to the plans that would be supplied to the Town's building department. He offered to discuss the 3' cantilevering with framing and spray foam used with floor with Deb Paskowski of the building department.

Discussion addressed that a formal request to the Board of Health on this matter does not have to be in writing. The solid concrete block pad base would be 12' by 12' with columns 5' off of the leach field. Willnow noted importance of having structure located in such a way that it would minimize disturbance to sand. Cheston said he would do what was necessary to accomplish this request. He noted that from the house, there would be slab out 10'.

Discussion ensued about centerline column being 14', slab out 10' and cantilever 4' with posts on the 5' over dig to edge of trench. Cheston suggested that structurally the slab could come out 11' and cantilever would be 3' without columns.

Discussion addressed tight work area. Cheston noted that he uses an excavating contractor that also does septic system installations and a mini-excavator would be used. Willnow mentioned that if there is damage to the septic tank and leach pit then repair would be necessary and the Board of Health notified.

Willnow moved for the Board of Health to approve the upgrade approval request subject to the revisions discussed to the extent of the slab foundation. Cheston said he would update the drawing showing the 11' slab and 3' cantilever. Wilfahrt seconded motion. VOTE: Unanimous.

### **Discussion – Septic Follow-up Procedure**

Whelan described when residents come in to the building department to change the configuration of their houses (i.e., add second story and put bedrooms upstairs) relative to compliance with Title 5.

Discussion ensued about new use of bedrooms downstairs when second story is added. Whelan informs homeowners that identifying the spaces as study or playroom is not enough, walls need to be removed, closets eliminated, shelves or

glass doors added so there is no increase in number of bedrooms relative to septic system size and compliance with Title 5.

Whelan noted that the Board of Assessors define a bedroom as a room with a closet and do inspections after construction to ensure bedroom count has not changed and they notify Whelan. Also mentioned was when closets are only accessible inside of a room and if a door has to be taken off so there is no longer a closet in a downstairs room connoting a bedroom and if there is potential for creating a hardship for resident. This matter impacts if additional bedrooms are added then septic system has to be upgraded to meet performance standards.

Discussion ensued about what is a reasonable exchange to eliminate closet space relative to adding bedrooms and Whelan's interest in giving people the opportunity to have a study with privacy that could be managed with a deed restriction on the number of bedrooms. The Board concurred with Whelan's suggestions on the matter.

#### **Review – Board of Health Minutes dated May 23, 2013**

Whelan noted that she has not heard from Asbury Grove relative to its beaver dam problems. Also mentioned was that the Town's newly hired public health nurse Christine Lee is on the job and will be invited to next Board meeting.

Willnow moved to approve the May 23, 2013 minutes as revised. Wilfahrt seconded the motion. VOTE: Unanimous.

#### **Meeting Adjourned:**

Willnow moved at 8:30 p.m. to adjourn. Wilfahrt seconded motion. VOTE: Unanimous. The Board's next meeting is on Wednesday, August 21 at 7 p.m.

#### **ATTEST:**

cc: Selectmen, Planning Board, Town Clerk, Conservation