

**Minutes  
BOARD OF HEALTH  
27 Francis Farm Rd  
Rehoboth, MA 02769  
Arcade Building  
January 31, 2023  
7pm**

Meeting called to order at 7:00pm by Chairman, R.Smith

Member's Present: R.Smith, G.Kellum IV, M.Hass, K.Eyer, G.Zimmer, K.Drown Health Agent

Public Present: Mark Mariano, Kathleen Lewis, Stephen Prew, Mary Rogers, Rachel Lawton, Bob Berube, Tyler LaFreniere, Brad Fitzgerald, Deborah Imbriglio, Gerard Imbriglio, Jose Almeida

**Minutes:** Review & Sign Minutes from December 27, 2022

Motion to sign minutes made by M.Hass, 2<sup>nd</sup> by K.Eyer, approved.

***Public Hearing for Variances:***

- 245 Plain St-SFG Associates; To allow a sieve analysis in lieu of a perc test.

Motion made by G.Kellum IV, 2<sup>nd</sup> M.Hass, approved, pending Con/Comm requirements.

- 243 Homestead Ave-SFG Associates; To allow the septic tank to be 3' from the cellar wall instead of the required 10'; to allow the pump chamber to be 1' from the cellar wall instead of the required 10'; to allow the SAS to be 10' from the cellar wall instead of the required 20'; to allow the pump chamber to be 22' from the BVW instead of the required 25'; to allow the SAS to be 2' from the BVW instead of the required 50'; to allow the SAS to be 90' from the proposed well instead of the required 100'; to allow a sieve analysis in lieu of a perc test; also reduce separation of new well to property line from 25' to 10'.

Motion made by G.Zimmer, 2<sup>nd</sup> by K.Eyer, approved, subject to Con/Comm approval.

- 5 Dean St- Risser Engineering; sieve analysis in lieu of perc test; reduction from 4' to 3' of GW. Discussion was had by Mary Rogers who resides at 4 Dean St. She was very concerned about the use of a sieve analysis and wanted the BOH to make the owner wait for a dry season so as to be able to do a standard perc test. The Board informed her that a perc was highly unlikely to make any significant change to the size of the system and the new system will be a great improvement over the old failed system, which may be in the groundwater. There was no justification to put off the replacement of the failed system.

Motion made by K.Eyer, 2<sup>nd</sup> by M.Hass, approved. Subject to revising the plan to include the town's 25% add on.

- 23 Water St-Pro-Line Engineering; Reduction from 4' to 3' of the SAS to GW; use of sieve analysis

Motion made by M.Hass, 2<sup>nd</sup> by G.Zimmer, approved pending Con/Comm approval.

- 545 Tremont St-Oakhill Engineering; Reduction from 4' to 2' of the SAS to GW; reduction of distance from property line from 10' to 5'; reduction of distance from site well from 100' to 95' to SAS. System is to be staked out prior to installation.

Motion made by M.Hass, 2<sup>nd</sup> by G.Kellum IV, approved. R.Smith recused herself from vote.

**Public Hearing:** 206 Wheeler St for 5 or more horse stable. Permit # 61496

Motion made to not exceed 7 horses made by G.Zimmer, 2<sup>nd</sup> by M.Hass, approved.

***Invoices:***

**Board of Health**

Karl Drown \$157.22

Analytical Balance \$60.00

**Transfer Station**

Karl Drown \$6.67

Potty-John \$125.00

MTG Disposal \$10,408.80

Flynn Pest Control \$40.00

Motion to make all payments made by G.Zimmer, 2<sup>nd</sup> by M.Hass, approved

***Permits:***

**Food Renewal**

61925 Cumberland Farms

61941 Anawan Club

61971 Dasilva Farm

62091 Cookie Confections

62200 Gilded Tomato Co.

62392 Portside Fish Market

62393 Portside Fish Market, mobile

62719 Munro Farm

**Installer Renewal**

61877 James Prosser

61879 David Towle, David Towle & Son Excavating

61889 Robert Fernandes

61911 Jeffery Hickey, JH Landscaping & Construction

61964 Jeffrey Couto

61991 Kenneth Foley, Pond View Excavation

62034 James Barishian, New England Gravel

62339 James Brophy, Advanced Environmental Excavation  
62559 Michael Moresehead, Michael Moresehead Excavating

**Septage Hauler Renewal**

61813 Waste Water Services 1

61959 Pureflo LLC 1

62255 Wind River Environmental 8

**Septage Hauler New**

61876 Live Earth Event Preparation 1

**Rubbish Renewal**

62118 Republic Services 5

**Piggery Renewal**

62718 Munroe Farm 50+ pigs

Motion that all permits listed above be approved made by M.Hass, 2<sup>nd</sup> by G.Zimmer, approved.

**Old Business:**

- Update on Hydrogeological study on Phase 2 & 3 of The Fairways. See attached page
- Update on 46 Almeida Rd. MA DEP says the sludge has all been cleaned out and there is no residual contamination.
- Update on public water service at Francis Farm. The town is waiting on engineered plans.

**New Business:**

- Budget for Board of Health. The board approved a budget of \$25,000 not including the salaries which are by contract.

Motion made to approve budget by M.Hass, 2<sup>nd</sup> by G.Kellum IV, approved.

- Warrant Article for Transfer Station. The Health Agent will write the warrant article for the annual town meeting with a total of \$148,700.

Motion made to accept that amount made by G.Kellum IV, 2<sup>nd</sup> by M.Hass, approved.

- Application for per diem transfer station position came in. A recommendation will be sent to the Selectmen to hire Kathleen Lewis at a per diem transfer station employee.

Motion to hire applicant made by G.Kellum IV, 2<sup>nd</sup> by G.Zimmer, approved.

- The Health Agent requested taking his remaining vacation as 18 Friday mornings. This is subject to Amy Brown's availability.

Motion to approve time off made by G.Kellum, 2<sup>nd</sup> by M.Hass with a vote 4 to 1 by the board, approved.

Next meeting is scheduled for February 28, 2023

Motion to adjourn meeting at 9:15pm made by M.Hass, 2<sup>nd</sup> by G.Kellum IV, approved.



Rachel Smith, Chairman



Gary Zimmer, Member



Mark Hass, Member



George Kellum IV, Member



Katie Eyer, Member

## Hydrogeologic Well Study- The Fairways- Rehoboth Country Club- phases 2 & 3

The review of the study, including both the BOH questions and comments to GZA, and the GZA response to questions, has been received from Fuss & O'Neill, dated January 20, 2023. The opinion of Fuss & O'Neill is that the "Hydrogeologic Assessment Report" completed by GZA does not satisfy the requirements as outlined in the "policy". (town policy on Hydrogeologic Assessment) Specific issues are documented in the review. However, the conclusion is that a number of omissions likely have no impact on the findings.

There are three main issues to be addressed. The first is that some low yielding wells may be insufficient for irrigation without well modification. Fuss & O'Neill suggests the town should have a method for formal disclosure of this condition to future homebuyers.

The second issue is that the policy requires four test wells for a subdivision of 25-50 lots, plus one well for each additional 25 lots. Although four test wells were drilled and tested for Phase 1, and two additional wells were added for Phases 2 & 3, the study of the two new wells did not relate to the first four wells. The study of Phases 2 & 3 was treated as a separate study from phase 1. Therefore, to comply with the policy there should have been two additional wells for a total of four wells.

The third issue is the location of the two newer wells, which are on adjacent parcels near the center of the subdivision. Both the BOH and Fuss & O'Neill questioned whether this adequately represented the entire subdivision. Tony Urbano, of Fuss & O'Neill, stated that he had emailed the proposed locations to Health Agent Karl Drown. He said he received no response and took that to mean there was no objection. Karl confirmed that he had received the email.

In order to address the first issue regarding irrigation, Rob Davis presented the BOH with a draft deed restriction regarding minimum well requirements for irrigation on all lots in Phases 2 & 3. This restriction would also limit the maximum area of irrigation allowed for lots on Road C to no more than 10,000sf per lot.

In regards to the second and third issues, Karl Drown stated that he had spoken by phone with Fuss & O'Neill regarding the review, and that they recommended two additional wells. Rob Davis was concerned regarding the expense and time delay for additional wells, particularly as they would affect Road C lots. The developer has agreed to install another one or two wells if necessary, although both GZA and Rob Davis felt the deed restriction would be sufficient and further testing was not needed.

A motion was made by Gary Zimmer, seconded by Mark Hass, and approved. Motion to accept the GZA study and recommend the approval of the Fairways subdivision Phases 2 & 3 subject to the following requirements:

1. A deed restriction is to be placed on all lots as written in the draft provided by Rob Davis, subject to review of technical specifications by Fuss & O'Neill and review of legal content by Town Counsel, with a final draft to be agreed upon by all parties involved.
2. Installation and testing of one or two additional wells as required by Fuss & O'Neill, if they determine said wells are necessary for the data they will provide as opposed to being necessary to fulfill the requirements of the "policy"

