

**TOWN of HINGHAM**  
**BOARD OF HEALTH**

Board of Health Public Meeting

**May 10, 2016**

A posted public meeting of the Town of Hingham, Board of Health (the Board) was held in the Central South Meeting Room, 210 Central St., Hingham, MA.

The meeting was called to order by Dr. Shilts at 7:30 PM

**Members Present:**

Kirk Shilts, D.C., Chairman

Peter Bickford, Member

**Staff Present:**

Bruce Capman, R.S., Executive Health Officer

Andrea Benedetto, Administrative Assistant

Paul Brogna, Consultant Engineer

**Agenda:**

Dr. Shilts reviewed the posted agenda with the Board.

**Thereafter, the meeting's agenda was accepted as amended.**

**Board Minutes:**

The Board reviewed the draft minutes from the March 15, 2016 public meeting.

**Thereafter, a Motion was made by Mr. Bickford and Seconded by Dr. Shilts and it was VOTED (unanimous); to approve the public meeting minutes of March 15, 2016 as amended.**

**Hingham Food Inspector Position:**

Mr. Capman said Mr. Peterson will be retiring in July as the Hingham Food Inspector. The part-time position is being posted on the town's website.

The Board interviewed Ms. Robin Magner for the position.

**Definitive Subdivision Plan:**

**901 Main St.**

Spokespersons: Gary James & Jerry Rankin

The applicant is requesting to subdivide two adjoining properties into a four (4) lot subdivision.

- Currently the property has an existing two-family house with four (4) bedrooms.
- The applicant is proposing to tear down the existing house and erect four (4) new houses of five (5) bedrooms each, for a total of 20 bedrooms.
- Of the approximate thirteen (13) acres that make up the total property, about seven (7) acres are wetlands.
- Mr. Brogna said soil testing and test pits have not been conducted.
- Mr. James said a significant amount of soil will be removed from the site. Mr. Capman said that all soil testing is not to be done on soil that will be removed.
- The applicant did not submit a Preliminary Subdivision Plan for this project.
- Mr. Bickford said most of the proposed lots are not large enough to support a five-bedroom septic system.
- Mr. James said he is using the facility aggregate credit land process to make-up the difference.

- Dr. Shilts said the applicant is looking for a definitive ruling and the most of the crucial elements are missing. He stated the Board cannot give a favorable recommendation to the Planning Board without knowing the required information.
- Mr. Bickford said the applicant should review the 40B application on this property from two-years ago to learn more about the Board's concerns over water supply issues.
- Mr. Capman asked Mr. James to obtain the necessary paperwork from Aquarion Water Company.
- The 45-day deadline to reply to the Planning Board on this application is around May 27, 2016.

**Thereafter, a Motion was made by Dr. Shilts and seconded by Mr. Bickford and it was VOTED (unanimous); to postpone action on the Definitive Subdivision Plan at 901 Main Street application until or before the 45-day time period has expired; and if no action is taken by the deadline, a denial of this application will be forwarded to the Planning Board; and should the Planning Board provide an avenue for additional time, the Board would be willing to extend a later date for action on this application.**

**Sewage Disposal System Variance Request:**

**12 Fisher Road**

Spokesperson: Terence McSweeney

The applicant is requesting divergences from state Title-5 and variances from the Hingham Supplementary Septic Regulations.

- Mr. McSweeney said the property line setback was most challenging for this site.

**Thereafter, a Motion was made by Mr. Bickford and seconded by Dr. Shilts and it was VOTED (unanimous); to grant three (3) Title 5 divergence 310 CMR 15.405(1)(b), 15.104 & 15.405(1)(a); and two (2) variances from the Hingham Supplemental Septic Regulations section VI.9 & VI.12(a); and incorporate the ten (10) conditions in Mr. Capman's report dated 4/26/16.**

**Hingham Tobacco Sales Compliance Program:**

Mr. Capman reported on the Board's tobacco compliance inspections.

- 18 establishments were inspected within the past 2-months; and no violations were found.
- Funding for inspections comes from the tobacco sales permit revolving fund.

**Executive Health Officers Report:**

• **Septic System Failure, Linden Ponds Retirement Community:**

Mr. Capman reported on a recent septic system component failure at Linden Ponds Retirement Community that discharged raw sewage into the Plymouth River, a protected body of water. He reminded the Board that this septic system is state-permitted rather than regulated by the Board.

• **Pool Inspections and Lifeguard Waivers:**

Mr. Capman said he expects additional lifeguard waiver requests following pool inspections he recently completed or will soon perform.

**Thereafter, a Motion was made by Dr. Shilts and seconded by Mr. Bickford and it was VOTED (unanimous); to delegate authority to Mr. Capman to grant a waiver through the last day of 2016 from the state's lifeguard requirement to any lifeguard waiver applicant that was granted such a waiver in 2015, conditional upon completion of a lifeguard waiver application, payment of the applicable fee, and favorable outcome to the town's pool inspection.**

- **Dumpster Collection Bin Waivers:**

Mr. Capman reminded the Board that dumpster waivers expire next month. Dr. Shilts suggested sending all of the establishments that currently have a dumpster waiver a renewal waiver application.

**Thereafter, a Motion was made by Dr. Shilts and seconded by Mr. Bickford and it was VOTED (unanimous); to delegate authority to Mr. Capman to grant a waiver through the last day of June 2017 from the town's Dumpster and Recycling Regulations, section VII(A) to any collection dumpster applicant that was granted such a waiver in 2015, conditional upon completion of a dumpster waiver application and payment of the applicable fee.**

**Board Officer Elections:**

Dr. Shilts asked for nominations for the position of Board chairman for the 2016/17 term.

Mr. Bickford nominated Board member Stephan White. No other nominations were offered.

**Thereafter, a Motion was made by Mr. Bickford and Seconded by Dr. Shilts and it was VOTED (unanimous); to establish Mr. White as chairman of the Hingham Board of Health for the 2016/17 annual term.**

**Adjournment:**

The May 10, 2016 public meeting of the Hingham Board of Health adjourned at 9:45PM

Respectfully submitted,  
Andrea Benedetto, Administrative Assistant