

**BOARD OF
Health
MEETING
MINUTES**

**January 16, 2020
Town Hall 1 Main St., Upton, MA 01568**

1 The meeting was called to order at 4:15 p.m., by Chairman, Richard Desjardins. Also in attendance were;
2 Member, Al Holman; Member, Ted Briggs; and Asst. Public Health Supervisor, Diane Tiernan.

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4 Agenda was reviewed and approved.

5 ***Motion one*** – Al made a motion to approve the minutes from the previous meeting dated, 12/11/19. Ted
6 seconded the motion and Richard made the motion unanimous. Minutes were approved.

7 4:24 p.m., Installer, Michael Connearney and BOH Agent, Paul McKeon arrived to discuss the installation of the
8 septic system at 67 Fiske Mill Road, property of Joan Brown.

9 4:30 p.m. , Fred Lapham of Shea Engineering and Attorney Ernie Horn arrived to also discuss 67 Fiske Mill Road.

10 Paul stated he wants to discuss the plans to install the system at 67 Fiske Mill Road. The way it's designed right
11 now, we will have to haul in numerous loads of septic gravel and install a pump. If a Presby system is designed
12 instead, it allows for 2' to the water table with a local upgrade and a pump system will not be necessary.

13 Fred stated he doesn't understand why we are having this discussion. The system was approved at the last
14 meeting. There is a closing on Tuesday with the new buyer.

15 Board stated they issued a temporary approval of the system so that you could move forward. If the accuracy of
16 the true soil layers were not in conjunction with the plan, than changes needed to be made.

17 Michael stated the original soil testing was performed outside of the system. The Board and he questioned the
18 accuracy of the true layers where the system is to be located. When we did the dig out of the system, we looked
19 at the layers. He doesn't agree with the elevation that Fred is proposing. Elevation of the pipe is 2' higher than
20 the plan shows. He has spoken to Presby and you *can* do step trenches with that system and he also confirmed it
21 with another engineering firm. Michael feels there's a better system that will save Mrs. Brown money.

22 Fred stated he looked at a Presby system for this lot, but it can't be done.

23 Al asked if Fred discussed a Presby system with the engineer who actually stamps the plan. Fred stated, yes he
24 did. His name is on the plan. Fred determined the Presby system would not work. You don't have the height
25 and you can't slide the system downward due to wetlands and the driveway. He feels there is a great savings
26 using the system that he proposed because the existing material can be utilized. Right now, we have a hole in the
27 ground and a closing on Tuesday.

28 Ernie stated he is here tonight to assure his clients' interests are protected. He feels whether the town chooses
29 to approve or disapprove the plan, its improper for anyone to interfere. There have also been some derogatory
30 comments from the agent regarding the engineer. That is why he's here, to make sure that people aren't
31 overstepping their authority.

32 Paul stated his comment related to the design plan, not the engineer. When he reviewed the plan for approval,
33 he felt there was a better, more economical way to design the system.

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34 Richard stated we're not experts on the engineering either, so we have a professional and a septic installer here
35 tonight. Together we will have a design that will work.

36 Fred stated it takes a lot of work to complete a system. We looked at a Presby system, it won't work. Michael
37 stated he wanted to see the calculations that Fred looked at for Presby. He believes it can work. Fred stated you
38 cannot ask for a reduction of ground water if you're too close to the wetlands and a well. Fred tried to find the
39 regulation online, but stated he would have to email it to the Board later.

40 Paul stated he would call DEP and get clarification on the regulation as well.

41 Richard stated they can get together tomorrow after our inspector calls DEP and get this resolved. Paul stated if
42 we find we can't do a Presby, we can just go ahead with 6" adjustment on the pipe and show it on the as-built.

43 5:02 p.m., Fred and Ernie left.

44 Vouchers were reviewed and signed.

45 5:10 p.m., Paul and Michael left.

46 Applications for food permits were reviewed for: Little Coffee Bean – Main Street, Dunkin Donuts-Hartford
47 Avenue South, Town Line Dairy – Williams Street, Gasco – Milford Street, Breakfast at Stephanies-Farm Street,
48 Country Club Sooper – Main Street, Upton House of Pizza – Milford Street, MV Pantry – Upton VFW, and Red Rock
49 Grill and Bar – W. Main Street.

50 **Motion two** – Ted made a motion to approve of the above food permits and Al seconded the motion. Richard
51 made the motion unanimous. Permits were approved.

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53 A revised septic design for 3 Chapin Road, James Antonio was reviewed. Revisions were previously approved by
54 BOH Agent, Paul McKeon.

55 **Motion three** – Al made a motion to approve of the revised design and Ted seconded the motion. Richard made
56 the motion unanimous. Permit was approved.

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58 Motion four – Al made a motion to adjourn and Ted seconded the motion. Richard made the motion unanimous.
59 5:34 p.m., Meeting was adjourned.

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61 Respectfully Submitted,

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63 Diane Tiernan,
64 Asst. Public Health Supervisor
65 Upton Board of Health