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## Board of Health Minutes 12/04/2014

### Town of Mashpee

*16 Great Neck Road North  
Mashpee, Massachusetts 02649*

#### BOARD OF HEALTH – PUBLIC SESSION

##### Minutes of the Meeting of December 4, 2014

**Board Members Present:**      **Member Absent:**      **Also Present:**  
Burton Kaplan, Co-Chairman      Lucy Burton, Chair      Glen Harrington, Health Agent  
Kalliope Egloff, Clerk

Chairman Burton Kaplan called the meeting to order at 7:02 PM.

#### APPOINTMENTS

##### 7:15 PM – Approval for Commercial Property – 58 Echo Road.

Dan Ojala with Down Cape Engineering, representing Anne Seminara of 58 Echo Road, introduced himself to the Board.

Mr. Ojala commented that the plan for the property located at 58 Echo Road was presented to the Mashpee Site Plan Review Meeting. Comments were made and revisions were performed. A request was made to move the floor drain tight tank to the other side of the building, and therefore, the revision was added to the plan. This is a typical metal building similar to the others on Echo Road. One tenant, a wholesale landscaper, is scheduled to use this building. The septic is designed to be under the 600 gallon per day threshold. No variances are required, and everything meets code. The systems are vented with a dual compartment tank containing a float and alarms. The storm water retention areas have subsurface drainage meeting the Board of Health requirements.

Glen Harrington stated that he has discussed the technical aspects with Mr. Ojala regarding the tight tank. Mr. Harrington does not have any other issues other than normal recommendations for the catch basins.

Kalliope Egloff made a motion that the Board of Health approve the Site and Septic Design Plan for 58 Echo Road with the following conditions:

- An executed contract for servicing the MDC-type catch basins yearly shall be provided to the Board of Health prior to issuance of a Certificate of Occupancy.
- Safety Data Sheets shall be kept on premises in bound notebooks for all hazardous products. Safety Data Sheets shall be available for inspection by an agent of the Board of Health.
- Hazardous materials shall be limited in volume to 200 pounds dry weight and 220 gallons of liquid storage. Hazardous waste shall be limited in accordance to 310 CMR 30.00, Massachusetts Hazardous Waste Regulations. Storage of hazardous materials outside is prohibited. An executed contract for the removal of hazardous waste from the facility by a licensed hazardous waste removal company shall be provided to the Board of Health prior to the issuance of a Certificate of Occupancy.
- All changes in tenancy and/or use of each unit shall be approved by the Board of Health prior to the issuance of a lease or sale of each unit.
- Washing machines are prohibited on the property.

- Operations shall not cause a “nuisance” or the operation will be considered a noisome trade.

Burton Kaplan seconded the motion. The motion was unanimously approved.

**7:20 PM – Approval for Commercial Property – 68 Echo Road.**

Dan Ojala with Down Cape Engineering, representing Louis Seminara of 68 Echo Road, introduced himself to the Board.

Mr. Ojala commented that this property is located at 68 Echo Road with the proposed construction of a metal building. It is a similar layout to many of the other buildings in the area. This site plan was presented at the Mashpee Site Plan Review Meeting with comments and revisions. There are floor drains that connect to an industrial tight tank, since repair work is to be performed on the property. The industrial waste water holding tank will drain to a tight tank with an internal secondary tank that contains an alarm system in between. The septic system is designed to be below 600 gallons per day.

Kalliope Egloff made a motion that the Board of Health approve the Site and Septic Design Plan for 68 Echo Road with the following conditions:

- The MDC catch basins shall be monitored yearly. An executed contract for servicing of the MDC-type catch basins shall be provided to the Board of Health prior to issuance of a Certificate of Occupancy.
- Safety Data Sheets shall be kept on premise in bound notebooks for all hazardous products. The Safety Data Sheets shall be available for inspection by an agent of the Board of Health.
- Hazardous materials shall be limited in volume to 200 pounds dry weight and 220 gallons of liquid storage. Hazardous waste shall be limited according to 310 CMR 30.00, Massachusetts Hazardous Waste Regulations. Storage of hazardous materials outside is prohibited. An executed contract for the removal of hazardous waste from the facility by a licensed hazardous waste removal company shall be provided to the Board of Health prior to the issuance of a Certificate of Occupancy.
- All changes in tenancy and/or use of each unit shall be approved by the Board of Health prior to the issuance of a lease or sale of each unit.
- Washing machines are prohibited on the property.
- Operations shall not cause a “nuisance” or the operation will be considered a noisome trade.
- A contract for the pumping of the industrial tight tank shall be provided to the Board of Health prior to the issuance of Occupancy.
- The tight tanks shall be sealed for water-tightness by the manufacturer.

Burton Kaplan seconded the motion. The motion was unanimously approved.

**7:25 PM – Septic Variance – 18 Great River Road.**

Peter McEntee of Engineering Works, representing Carol Sherman of 18 Great River Road, introduced himself to the Board.

Mr. McEntee commented that there is very little space on this property and is requesting the following variances for the purpose of a Title 5 Septic Upgrade located at 18 Great River Road:

- A 7’ variance from the Soil Absorption System to the front property line for a 3’ setback.
- A 5’ variance from the Soil Absorption System to the side property line for a 5’ setback.
- A 6’ variance from the septic tank to the front property line for a 4’ setback.
- A 15’ variance from the Soil Absorption System to the crawl space wall for a 5’ setback.
- A 10’ variance from the Soil Absorption System to the cellar wall for a 10’ setback.
- A 3’ variance from the septic tank to the cellar wall for a 7’ setback.
- A 9’ variance from the septic tank to the water service for a 1’ setback.
- A 9’ variance from the Soil Absorption System to the water service for a 1’ setback.
- A 1’ variance from the septic tank to the water main (as marked) for a 9’ setback.
- A 1’ variance from the Soil Absorption System to the water main (as marked) for a 9’ setback.

- A 1' reduction to the required 5' separation between maximum seasonal high groundwater and the bottom of the Soil Absorption System for a 4' separation.
- A 48' variance from the Soil Absorption System to the vegetated wetlands for a 52' setback per local Board of Health leaching distance requirements.

Mr. McEntee stated that a SludgeHammer denitrification system and ultra-violet light disinfection unit are proposed for this property. A poly liner is also proposed between the leaching system and water main to create a barrier.

The Board, Mr. McEntee, and Mr. Harrington discussed relocating the water service to the interior of the dwelling and providing a 40 mil poly liner to the house side of the Soil Absorption System along the cellar wall and crawl space and eliminating some of the variances to the water service.

Mr. McEntee will amend the plan to include the poly liner and correct the variance request for the local Board of Health leaching distance requirements.

Kalliope Egloff made a motion that the Board of Health approve the Title V Design Plan for 18 Great River Road as presented with Variances #1, 2, 3, 4, 5, 6, 9, 10, and 11, noted above, amending Variance #12 on the plan, and including the following conditions:

- Effluent from the ultraviolet light shall be sampled quarterly for two years for total coliform. The total coliform shall not exceed 200 colonies per 100 ml. The effluent sampling shall occur from the distribution box.
- An executed Operation and Maintenance Contract for the SludgeHammer innovative alternative denitrification unit shall be submitted to the Board of Health prior to issuance of a Certification of Compliance. The Operation and Maintenance Contract shall include the maintenance of the ultraviolet light. The Operation and Maintenance Contract shall be required for the life of the innovative/alternative septic system.
- Effluent from the septic tank shall be sampled/analyzed for total nitrogen on a quarterly basis for a two-year period from the distribution box.
- After the eight required sampling events, the system may have an Operation and Maintenance Contract according to the Department of Environmental Protection field testing guidelines for General Approval of Innovative/Alternative systems.
- Relocate the water service to the interior of the property so no variances are required.
- Install a 40 mil poly liner along the cellar wall and crawl space on the east side.

Burton Kaplan seconded the motion. The motion was unanimously approved.

**7:30 PM – Septic Variance – 49 Clover Lane.**

Peter McEntee of Engineering Works, representing Kimberly Graves of 49 Clover Lane, introduced himself to the Board.

Mr. McEntee stated that he is requesting the following variances for the purpose of a Title 5 Septic Upgrade located at 49 Clover Lane:

- A 5' variance from the septic tank to the cellar wall (bulkhead) for a 5' setback.
- A 1' reduction to the required 5' separation between maximum seasonal high groundwater and the bottom of the Soil Absorption System for a 4' separation.

Glen Harrington remarked that this property is only 800 feet from the water. Mr. Harrington performed some research of the groundwater on the surrounding properties, as did Mr. McEntee. Mr. Harrington agrees with Mr. McEntee on the groundwater calculations and recommends a soil evaluation at the time the leaching system is installed.

Kalliope Egloff made a motion that the Board of Health approve the request for the Title V Design Plan for 49 Clover Lane with the two variances noted above and with the condition that a soil evaluation be performed at the time the Soil Absorption System is installed. Burton Kaplan seconded the motion. The motion was unanimously approved.

**7:35 PM – Request for Kennel License – 44 Scituate Road.**

Mr. Harrington commented that the request for a Kennel License at 44 Scituate Road was presented to the Board in August 2014, and a decision was rendered.

**NEW BUSINESS**

**1. Sign Expense Warrants.** The Board members signed the expense warrants.

**2. Review/Approve BOH Public Session Minutes: November 6, 2014.**

Kalliope Egloff made a motion that the Board of Health approve the Public Session minutes of November 6, 2014, as amended. Burton Kaplan seconded the motion. The motion was unanimously approved.

**3. Subdivision Review: The Cottages at New Seabury Phase II – 70 Cross Road.**

Glen Harrington commented that the Cottages at New Seabury is a 54-unit subdivision known as Phase II in Section 5 of New Seabury. The plan is according to the Cape Cod Commission ruling and agreement with New Seabury. The 54 lots will be tied into the New Seabury Wastewater Treatment Plant; the lots will be connected to town water; and the drainage shall be sent to fore-bays and rain gardens. The roof drainage will be discharged to holding tanks or cisterns for re-use as irrigation. There is a required maintenance plan for the storm water system. The Board approved Phase I on April 17, 2014, with 21 lots.

Kalliope Egloff made a motion that the Board of Health approve Phase II of the residential subdivision of The Cottages at New Seabury Section 5, 70 Cross Road. Burton Kaplan seconded the motion. The motion was unanimously approved.

**4. Request for 2015 Retail Food License: Hissho Sushi – 11 Commercial Street.**

Burton Kaplan remarked that Hissho Sushi has no seating and is strictly take out. It is located in the deli section of Roche Bros.

Glen Harrington commented that there is a certain process to acidify rice when using vinegar. It is a variance from time and temperature control to use the acidification process. Other than cooking the rice and then cooling it and maintaining the proper temperature, acidification is allowed to be used to make the rice non-potentially hazardous. Mr. Harrington stated that Hissho Sushi has been operating within Roche Bros. for about a week without a current permit.

Kalliope Egloff made a motion that the Board of Health approve the 2015 Food Service permit for Hissho Sushi at Roche Bros., 11 Commercial Street with double fees for operating without a current permit along with the submission of the HACCP Plan, and a letter of organism destruction from the manufacturer. Burton Kaplan seconded the motion. The motion was unanimously approved.

Mr. Harrington remarked that the HACCP Plan and double fees have been submitted.

**OLD BUSINESS**

**1. Follow-Up Calendar:**

**A. 87 Lighthouse Lane.**

Mr. Harrington commented that he visited the property at 87 Lighthouse Lane. The septic was not overflowing, and the septic tank had been pumped. Mr. Harrington had the opportunity to meet with the Rivers and was informed that they were targeted by a predatory lender. The Rivers are getting some relief from the bank concerning their mortgage foreclosure.

Mr. Harrington requested quotes from 3 engineers for the installation of the septic system located at 87 Lighthouse Lane, and has received the proposals. Mr. Harrington has the necessary paperwork for the loan application to install the septic system once the Rivers and the Board agree on the engineering.

**B. 17 Ship's Wheel Drive.**

Glen Harrington remarked that he has not had the opportunity to follow-up on 17 Ship's Wheel Drive.

**C. 394 Cotuit Road.**

Mr. Harrington commented that there is no new information for 394 Cotuit Road, and it will need to be discussed in Executive Session when new material is provided.

**2. Mobile Food Regulation – Draft.**

Discussion on the Draft Mobile Food Regulation will be continued to the next Board of Health meeting scheduled on January 15, 2015, with a full Board in attendance.

**ADDITIONAL TOPICS**

None.

**NEXT MEETING**

The next meeting of the Board of Health is scheduled for Thursday, January 15, 2015, at 7:00 PM. As there was no further business, Kalliope Egloff made a motion to adjourn the Public Session Meeting of the Board of Health at 8:08 PM. Burton Kaplan seconded the motion. The motion was unanimously approved.

Respectfully submitted,

Frances Boulos  
Administrative Assistant  
Mashpee Board of Health

attachments