

**These are the minutes from the November 1, 2011 meeting of the Hanover Board of Health. Present were John Dougherty – Board Member, Mrs. Lynn White – Board Member, Mr. Anthony Marino –Health Agent and Ms. Donna Tramontana – Administrative Assistant.**

Having a quorum, Mr. Dougherty called the meeting to order at 6:30 p.m.

Mrs. White moved that Mr. Dougherty serve as chair in Mr. Moran's absence, Mr. Dougherty second, so voted.

6:45 – Appointment – Keith White – rescheduled to the November 15, 2011 meeting at 6:45 p.m.

New Business:

1. Mrs. White moved to approve the October 18, 2011 minutes as written, Mr. Dougherty second, so voted unanimously.
2. The irrigation well for 19 Pumpkin Patch Way was approved.
3. Mrs. White moved Nunc Pro Tunc to close the ball fields in Hanover for outdoor activities from 6pm to 7am, due to EEE virus confirmed in mosquitoes from Hanover, until such time that Hanover experiences a "killing frost", to be effective October 24, 2011 and to be rescinded effective Saturday, October 29, 2011 at 7am.

Mrs. White moved to approve the FY2011 Board of Health report for submission into the Town Report, with the updated statistics added, Mr. Dougherty second, so voted.

There will be an employee flu clinic at the Town Hall on Wednesday, November 2<sup>nd</sup> from 2:30 pm - 4:30 pm and a public clinic at the Council on Aging on Wednesday, November 9<sup>th</sup> from 5:30 pm-7:30 pm.

153 Main Street – septic plan – Mr. Dougherty recused himself from this discussion stating is a relative of the previous owner and a trustee of the abutting land. Mrs. White signed the plan as approved. Mr. Moran will be asked to come in and sign the plan.

7:00 - Appointment – Shawn Hall – Burger King – Mr. Hall explained he would like open Burger King 24 hours on Thursday, Friday and Saturday. Currently they close at 2:00 a.m. and then re-open at 5:30 a.m. He feels being close to the highway would help to provide extra business for them if they are allowed to remain open. The Board expressed concern that if they allowed them to open other businesses along Rt. 53 would request the same hours. Although Burger King's abutters are commercial businesses, this is not the case with other businesses that could potentially ask for the same hours. The Board is concerned with the unfairness this could create if they allowed some business to open 24 hours and not others. Mr. Dougherty suggested the Board table the decision until the next meeting when there is a full board. Mr. Hall was okay with this and added that the Pembroke store was allowed to open 24 hours with a 6 month probation period.

Mr. Marino gave his update:

- He dismissed the case against Harold Watts in Brockton Housing court. Mr. Watts has cleaned his property to Mr. Marino's satisfaction and Mr. Marino provided the Board with current pictures of property.
- The Bardin Street housing issue is back on the radar.
- A resident is looking to install an internal tight tank in their home to offer hair coloring/perm. services. Mr. Marino explained an internal tank would need to be installed by a licensed plumber not a septic installer. The owners would also be required to have a contract in place with a septic pumping company.

7:15 – Appointment – 27 Curtis Road – Stephen and Denise McKenzie - Mr. and Mrs. McKenzie were asked to come to the meeting to update the Board on the progress with their septic repair and the order letter that was sent August 31, 2011. Mrs. McKenzie updated the Board on the septic issues since they bought the home. She explained they purchased the home with a passing Title 5 report, had overflowing septic after them moved in and then hired a Title 5 Inspector to perform another Title 5 inspection, which failed. She feels the town should be liable for the cost of their new septic because the first report was incomplete and should not have been accepted by the town. Mr. Marino explained that Title 5 inspection reports are submitted to the Health Office and do not have to be approved

by the Board of Health, because the inspector's are licensed by the state. Mrs. White explained that the town is charged with certain duties and that they do not oversee Title 5 Inspectors. Mr. Dougherty feels this is a civil matter. Mr. MacKenzie explained that wetlands have been flagged on the property. He has contacted his Engineer, Gary James, and is waiting for Mr. James to add the wetland information to the drawings. Plans must then be submitted to Conservation for approval and then submitted to the Board of Health. They inquired about the low interest loan that will soon be available and if the Board would consider waiving submission fees. Mr. Dougherty suggested they put their request in writing so that they could address it at the next meeting. Mr. Marino explained their septic system is in failure because it is in the groundwater. The septic failed in 2006 and should have been repaired by 2008. Therefore, they must commence with the repair process. Mr. McKenzie assured the Board they are moving forward.

**Plans:**

42 Trailside Lane – Approved as submitted.

33 Meadow Drive – Approved as submitted.

25 Willow Drive – Not Approved. The Board would like a 1500 gallon septic tank used, not the existing 1000 gallon tank.

25 West Avenue – Mrs. White moved to approve the septic plan submitted for 25 West Avenue, submitted by McGlone Ent, dated 10/17/11, with the variances as noted on the plan and a deed restriction, Mr. Dougherty second, so voted.

Permits and Licenses signed

Mrs. White moved to adjourn, Mr. Dougherty second, so voted unanimously. Meeting adjourned at 8:35 p.m.