BOH MEETING MINUTES
09/22/2022

Attending
Bridget Sweet, Chair
Jeff Harris, Vice-Chair
Timothy Cochrane Jr., Member

In attendance: Cathleen Liberty, Director of Public Health; Bridget Sweet, Chair; Jeff Harris, Vice-Chair; Member Timothy Cochrane Jr.; Ginny McNeil, Health Agent; Melissa Kiriacopoulos taking minutes; Steve Sherlock recording, Ted Cormier-Leger, Real Estate Agent; Michelle Cook, potential buyer of property.

Meeting called to order at 3:00 pm

366 Pond Street Title 5

Director Liberty notified the board that this property was replacing a toilet and sink which would require a plumbing permit for the plumbing portion. When the plumbing inspector went out, it was brought to his attention that a permit was never pulled for the scope of work that was done. There was also no permit pulled with the building department for the basement that was redone. The inspector also found that there is a septic tank that the bathroom is tied into and the rest of the dwelling is tied into town sewer. It was unclear to Director Liberty as to how a septic and a tie could be. Director Liberty found that the board of health has a regulation under Chapter 250 which states that any property when making a connection to the municipal sanitary sewers in the town of Franklin, MA shall immediately upon making said connection have the septic tank pumped out and filled with sand and gravel and removed from said premises and a land evaluation to return to normal grade. Director Liberty made note that this regulation was adopted in 1988.

Director Liberty contacted DPW who was unable to tell the health department when this property tied into town sewer. There is no tag or date with a tie in. However, Director Liberty looked into when the owner started to be billed for sewer and noted that it started in 2011. Director Liberty wants this property in compliance with the health department's regulation. Director Liberty also noted that the basement has to be completely torn apart due to lack of permits not pulled on behalf of electrical, plumbing and building. Director Liberty also stated that they have to put in a vent that goes from basement to roof.

This house is currently on the market.

Real Estate Agent spoke on behalf of the sellers of this property stating that he contacted a septic installer that came out with a tracking device that they flush down the toilet which discharged to the back yard. The installers dug up the yard and found the device but also found a septic system unbeknownst to the sellers. Agent Cormier-Leger tracked down the previous owners who lived there from 1990-2017 who also did not know of the septic system and stated that the basement was finished when they bought it which included the bathroom. Agent Cormier-Leger stated that it would be a substantial amount of money to have to tear the bathroom out, dispose of septic system found and tie into town. Agent Cormier-Leger is asking for an exception on this since it did pass a previous Title 5 so that they can move forward on sale and get remaining items taken care of. He also commented that the town plumbing inspector contacted the state board who said it would be ok to have septic and town sewer but it comes down to state bylaw and being in compliance.

Chair Sweet explained that the tank gets crushed on site, not removed and backfilled. Vice-Chair Harris also commented to advise them to look into cost of tying into town and other options such as a pump. Director Liberty recommended that the current owner be in compliance under Chapter 250, Section 11 and tie that bathroom to sanitary sewer and abandon existing septic tank. The board has agreed that the current owner has 45 days to become compliant. Vice-Chair Jeff Harris motioned to accept 45 days seconded by Timothy Cochrane Jr, Member. Roll call vote to accept 45 days.

5) ADJOURNMENT

Vice-Chair Jeff Harris motions to adjourn, seconded by Member Timothy Cochrane Jr. Roll call vote to adjourn meeting at 3:21pm.