

PLYMPTON BOARD OF HEALTH	OPEN MEETING NOTES	August 10, 2021	Next Meeting 914/21 @ 5:00 PM
Present/Absent	Present/Absent		Place: BOH Office
Chair: Brad Cronin P			Guests: Owners and Septic Installer for 112 West Street
Vice Chairman/Treasurer Harry Weikel, Jr. P	Health Agent: Kevin Forgue A		Gordon Andrews, owner of 25 Oak Street
Clerk: Art Morin, Jr. P	Administrative Assistant: Cathleen Ferguson P		Amy Troup
TOPIC/AGENDA---ADDRESS			
ASSESSOR'S MAP - BLOCK - LOT	SUBJECT/DISCUSSION		FINDINGS/RECOMMENDATIONS
Call to Order 5:00 p.m.	Minutes of July 13, 2021 and July 26, 2021		Approved.
OLD BUSINESS			
Approved Septic Plans			
0 Maple Street (M7-B2-L28)	New Septic System		Plan approved; to be installed.
51 Cedar Street (M15-B1-L9)	New Septic System		Plan approved; to be installed.
12 Brackett Terrace (M22-B1-L29)	Repair of Septic System		Plan approved; to be installed.
19 Heather's Path (M24-B1-L20)	New Septic System		Plan approved; to be installed.
20 Montello Street (M24-B1-L6)	Upgrade of Septic System		Plan approved; to be installed.
165 Palmer Road (M6-B1-L3)	New Septic System		Plan approved; to be installed.
72 Prospect Road (M23-B2-L6B)	New Septic System		Plan approved; to be installed.
55 Elm Street (M16-B4-L2A)	New Septic System		Plan approved to be installed.
177 Main Street	M12-B4-L11		Change Location of Septic Tank
Approved Plans/Out for Installation			
12 Ring Road (M7-B4-L7)	Repair of Septic System		COC Signed.
21 Crescent Street (M12-B3-L6)	Repair of Septic System		COC Signed.
19 Main Street (M7-B4-L7)	Installation of New Septic System		
25 Oak Street (M1-B2-L8)	Upgrade - Replace Septic Tank		COC Signed.
Pending Septic Plans			
0 Center Street (M12-B2-L27)	New Septic System		Waiting for plan.

MINUTES OF THE MEETING	PAGE TWO	8/10/2021
0 Maple Street (M7-B2-L29)	Installation of Septic System	Waiting for plan.
0 Upland Road (M12-B5-L1B)	Installation of Septic System	Waiting for plan.
0 Elm Street (M17-B1-L11A)	Request for Perc Test	Waiting for plan
36 Parsonage Road (M17-B1-L1)	Repair of Septic system	Waiting for plan
0 Palmer Road (M11-B2-L15)	New Septic System	Waiting for plan
0 West Street (M15-B1-L14)	New Septic System	Revised plan in; Health Agent will look at variance requested.
228 Main Street (M12-B1-L7)	Repair of Septic System	Waiting for plan.
0 Main Street (M12-B1-L8A)	Installation of Septic System	Waiting for plan.
0 Parsonage Road (M17-B4-L12)	Installation of Septic System	Waiting for plan.
0 Center Street (M11-B5-L12)	Installation of Septic System	Waiting for plan.
47 Mayflower Road (M17-B6-L9C)	Application for Disposal System Construction Permit	Waiting for Plan
0 Prospect Road (M20-B1-L10)	Installation of Septic System	Waiting for Plan
48 Prospect Road (M20-B1-L10)	Installation of Septic System	Application for Disposal Construction Permit #1282; voted 3-0
		to approve. Variance to allow SAS to be 102 from well instead
		of 150 feet. Voted 3-0 to approve variance.
112 West Street (M16-B1-L2)	Perc done.	Application for Disposal Construction Permit # 1280; voted 3-0
		to approve. Variances to allow sieve analysis instead of perc
		test, to allow 3 foot separation instead of 4 foot; to allow finish
		grading at 3:1 instead of 10:1, to allow 5 foot remove & replace
		instead of 10 feet. Voted 3-0 to approve variances.
0 Lake Street (M3-B2-L10)	Installation of Septic System	Application for Disposal Permit # 1281. Voted 3-0 to approve.
56 Main Street (M4-B1-L26)	Installation of Septic System	Waiting for plan.
122 Main Street (M7-B1-L40)	Installation of Septic System	Waiting for revised plan.

MINUTES OF THE MEETING	PAGE THREE	8/10/2021
43 West Street (M16-l-L14)	Repair of Septic system	Waiting for plan.
1 Grove Street (M1-B3-L11)	Installation of Septic System	Waiting for revised plan.
3. OTHER		
0 Pleasant Street (M12-B5-L6)	Illegal Trailer	Illegal trailer has been removed from property,
0 Crescent Street (M7-B4-L2B)	Application for Disposal System Permit	at ConCom.
O'Donnell, et al. v. Plympton BOH, et al.	Litigation	No update.
1 Winnetuxet Road (M21-B1-L10)	Follow up on housing issues.	Outstanding issues on 2019 Order to Correct. Requested owners
		appear at 8/10 meeting. Owners were not available. Chairman
		Cronin informed owners they could submit their plan to correct
		issues for this meeting. No plan has been received, Voted 3-0
		to have Chairman follow up with town counsel re: next steps
		for compliance and with Health Agent re: 21D ticket for fines.
159 Center Street (M11-B1-L7)	Failed Septic System	Waiting for report from William Gottwald, Soil Evaluator. No
		Application for Perc Test has been filed. Owner's counsel stated
		occupants would be provided with potable water and a contract
		for delivery of water would be provided. No contract has been
		provided. As septic system is in the ground water the BOH
		issued Order to Correct on July 28, 2021. This is now a health
		emergency, as owner has rented the property. A septic installer
		contacted the office and stated that the owner "Mike" told
		him to get a permit for a new tank. Installer was told that no work
		could be allowed until Application for Perc Test had

MINUTES OF THE MEETING	PAGE FOUR	8/10/2021
		been filed and a proposed engineered plan had been approved.
		Chairman will speak to Town Counsel to begin the process of
		finances and further legal action.
Amy Troup	Complaint received re: alleged open meeting law violations	Chairman Cronin tells Ms. Troup that she was listed under New
		Business and the Board held a special meeting address her Open
		Meeting Law complaint; the Board does not have anything to
		say about that issue tonight, unless Ms. Troup is here requesting
		to address the Board. Ms. Troup asks what day was the special
		meeting held? Chairman Cronin states it was held on Monday,
		July 26. Chairman Cronin asks Ms. Troup if she received her
		copy of the Board's response to her complaint which was sent
		to the Attorney General's office? Ms. Troup states she did.
		Ms. Troup asks if the Board had an executive session. Chairman
		replies that the Agenda Notice was posted as both an Executive
		Session to be followed by an Open Meeting. The Executive
		Session was not held because it was determined nothing needed
		to be accomplished in Executive Session and Town Counsel was
		not present. Ms. Troup states she was not notified of that.
		Chairman Cronin states there is no duty to make personal
		notifications about meetings; it was posted by the Town Clerk.
		Ms. Troup asks what has the Board done about MGL C21A,
		article 13 for the Title 5 at 25 Oak Street? Chairman states
		the owner had been sent a letter to upgrade system by installing

MINUTES OF THE MEETING	PAGE FIVE	8/10/2021
		bigger tank or correct the listing to reflect correct number of
		bedrooms. Ms. Troup wants Board to point out in her listing
		where she has been advertising it as a 5 bedroom?
		Chairman states Board has replied in its submission to the
		Attorney General's Office. Ms. Troup states she is owed an
		answer. Chairman Cronin asks if she has the copy of the
		response sent to the Attorney General and do you have the
		complaint that was filed by the BOH regarding your listing?
		Ms. Troup replies yes. She wants to know what was misleading?
		She states that on her listing it states that seller will sell with a
		Certificate of Compliance when tank is installed. Chairman asks
		when was that advertised? Ms. Troup states in March. Chairman
		asks if she has any other questions. Ms. Troup states that she
		has a field card from the assessor's office that states there are
		5 bedrooms in the property and she now has a Certificate of
		Compliance. Chairman asks if she was made aware of the issues
		regarding the property when she appeared before the Board in
		2019? Ms. Troup replies yes. She wants to know what was
		wrong with her listing? Why do I have a violation on my license?
		Chairman reads 25 Oak Street listing which states: "Title 5 for
		a five bedroom in hand". Mr. Andrews, the owner and installer
		states that he installed the larger tank last week. Ms. Troup
		states that on page 3 of her listing it states seller will sell with
		a certificate of compliance when tank is installed.
		Mr. Morin asks Chair if he can address the owner and realtor.

MINUTES OF THE MEETING	PAGE SIX	8/10/2021
		Permission granted by Chair. Mr. Morin states that the ad
		was misleading to state that there was a Title 5 for 5 bedroom
		in hand. Administrative Assistant states that Health Agent
		did the final inspection for the new tank on 7/29/21. The BOH
		has not received an updated Title 5 Inspection Report to reflect
		this yet. The Health Agent will usually make a notation on the
		original Title 5 Report reflecting the changes. The Health Agent
		is on vacation. Ms. Troup requests a copy of the listing in the
		BOH file and takes a picture of the document with her phone.
		Ms. Troup asks where the ad came from? It was sent to the BOH
		anonymously. Chairman states the Board must respond to all
		complaints, whether filed anonymously or not. Ms. Troup asks
		if the Board knows Tom Millias? Board states that they all
		know who he is. Ms. Troup states the listing is not a full MLS
		listing and she wasn't notified that the Board was going to
		discuss reporting her at one of their meetings. Chairman Cronin
		asks again if Ms. Troup received the Board's response to the
		Attorney General's Office. She replies, yes, did you receive
		mine? The Board states they have not received any response from
		her. Chairman Cronin asks if there is anything else?
		Ms. Troup states she wishes the board had further investigation
		and had called and contacted somebody who could have brought
		in the full documentation about the listing instead of you going
		handsy on... Chairman Cronin asks what was the word you just

MINUTES OF THE MEETING	PAGE SEVEN	8/10/2021
		used? I did not hear you. Ms. Troup says she was struggling
		with the right word. The Chairman asks what the word was?
		Ms. Troup states she doesn't remember. Ms. Troup wants to
		submit the listing. Chairman asks if she will put a date on it with
		her name. Ms. Troup asks why does she have to? Why are you
		making me guilty when I'm not. You will be getting my reply.
		and I'm sure you will call me after you get my reply.
5. ADMINISTRATIVE UPDATES	Mail & Bills/Warrants for payment	Mail reviewed and warrants signed.
	Kkaties - Outdoor Seating	Board votes 3-0 to send letter to Kkaties letting them know that
		their food permit will be amended for outdoor seating.
	BOH Supplemental Title 5 Regulations	working with Concom on changes. Health Agent will review
		and then all changes will be brought to the BOH at a September
		meeting.
	Letter from Kingston BOH Nurse	Nurse is coordinating response of Kingston, Halifax and Plympton
		Boards of Health regarding recommendations for masking
		of students for the upcoming school year. The Board votes 3-0
		to join with Kingston and Halifax and recommend masking.
		Motion made and voted 3-0 to adjourn. Adjourned at 6:30 p.m.