

PLYMPTON BOARD OF HEALTH	OPEN MEETING NOTES	June 13, 2023	Next Meeting 6/27/23 @ 5:00 PM
Present/Absent		Present/Absent	Place: BOH Office
Chair: Art Morin P			
Vice Chairman/Treasurer Harry Weikel, Jr. P	Health Agent: Kevin Forgue P		Guests: Deb Anderson
Clerk: Jared Anderson P	Administrative Assistant: Cathleen Ferguson P		
TOPIC/AGENDA---ADDRESS			
ASSESSOR'S MAP - BLOCK - LOT	SUBJECT/DISCUSSION		FINDINGS/RECOMMENDATIONS
Call to Order 5:01 p.m.	Minutes of May 23, 2023		Voted 3-0 to approve minutes.
OLD BUSINESS			
Approved Septic Plans			Applicant has requested extension of current septic permit.
55 Elm Street (M16-B4-L2A)	New Septic System		BOH member Jared Anderson recuses himself from board for purposes of discussion on this case. Deb Anderson presents BOH with a letter & supporting paperwork & asks the BOH to consider this information when considering the request for extension of permit.
			Due to the state's "Order Suspending State Permitting Guidelines and Extending the Validity of State Permits (COVID-19 Order No. 17)", the applicant does not need to request an extension, as the current permit is extended an additional 462 days to 9/10/24 the number of days the State of Emergency was in effect). The BOH will send a letter to this effect to the applicant and additionally mention that the BOH is aware that the Plympton Conservation Commission may determine a change in the current wetlands assessment that may impact the current approved plan or require a new plan.
44 West Street (M16-B3-L4)	Repair of Septic System		Plan approved; permit expires 4/12/24.
64 Brook Street (M16-B6-L17)	Installation of New Septic System		Plan approved; permit expires 5/10/25.
0 West Street (M15-B1-L14A)	Installation of New Septic System		Plan approved; permit expires 5/10/25.

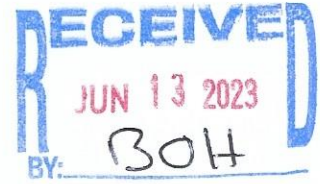
MINUTES OF THE MEETING	PAGE TWO	6/13/2023
Approved Septic Plans		
123 West Street (M15-B1-L14B)	Installation of New Septic System	Plan approved; permit expires 5/10/25.
292 Main Street (M17-B4-L4)	Repair of Septic System	Plan approved; permit expires 9/13/25.
110 Center Street (M11-B2-L5)	Repair of Septic System	Plan approved; permit expires 9/13/25.
6 Soule Street (M23-B2-L5)	Repair of Septic System	Plan approved; permit expires 10/11/25.
17 Brook Street (M22-B1-L21)	Repair of Septic System	Plan approved; permit expires 11/8/25.
40 Prospect Street (M20-B1-L6)	Repair of Septic System	Out for installation.
248 Main Street (M17-B2-L15)	Repair of Septic System	BOH was asked about the feasibility of tying the fire station into the library's system. After elevations were checked by the engineer, the 2% elevation that Title 5 requires could not be met.
		It is not physically possible.
Approved Plans/Out for Installation		
26 Grove Street (M1-B4-L16)	Repair of Septic System	Completed. Waiting for As Built. Contacted Installer.
Pending Septic Plans		
0 Maple Street (M7-B2-L29)	Installation of New Septic System	At Conservation.
226 Main Street (M12-B1-L8)	Repair of Septic System	Lot to be split, trailer to be removed.
0 Center Street (M11-B5-L12)	Installation of Septic System	At Conservation.
56 Main Street (M4-B1-L26)	Installation of Septic System	Waiting for plan.
105 Prospect Road (M23-B3-L16)	Installation of New Septic System	Waiting for revised plan.
77 Spring Street (M19-B1-L7)	Installation of New Septic System	Waiting for plan
129 Lake Street (M4-B4-L1)	Repair of Septic system	Waiting for plan.
159 Center Street (M11-B1-L7)	Repair of Septic System	Waiting for engineer to respond with corrected permit application
50 Maple Street (M7-B2-L11)	Dbox Replacement	Waiting for permit payment & installation.
0 West Street (M15-B1-L14)	Installation of New Septic System	Waiting for plan.

MINUTES OF THE MEETING	PAGE THREE	6/13/2023
3. OTHER		
157 Center Street (M11-B1-L5)	Housing Code Issues	Property currently vacant.
261 Brook Street (M14-B1-L29)	House fire. Property uninhabitable	Health Agent will inspect after repairs are made.
10 Mayflower Road (M17-B5-L13)	O'Hearn v. Town of Plympton	In litigation.
34 Lake Street (M3-B1-L1)	Numerous complaints about junk and vehicles on property	BOH and Zoning Dept. will send a request to Town Administrator asking for town counsel to review.
Fire Station	Septic Issues	Replaced jet toilets. No new issues.
5 Palmer Road (M17-B2-L16)	Public Water Supply	Update on existing well: Testing shows no PFAS. The water operator is waiting for sampling schedule from DEP. Update on proposed well: sent extensive information to Peter Dillon on June 2 about current buildings and wells so he can begin to determine flow needed. Mr. Dillon stated he would check with Dan Pallota about status of expanded design plan from Grady Engineering.
50 Maple Street (M7-B2-L11)	Dbox Replacement	To be installed.
25 Oak Street (M1-B2-L8)	Failed Septic System	Waiting for septic plan.
55 Crescent Street (M7-B4-L1)	New Septic System	At Concom
56 Mayflower Road (M17-B5-L2)	Housing Complaint	Health Agent will follow up.
165 Palmer Road (M6-B1-L3)	Issues with illegal dumping of materials	Health Agent met with engineer to discuss proposed septic plan. Once changes are received, plan will go out for third party review.
30 West Street (M16-B3-L6)	Application for Perc Test	Waiting for proposed plan
0 Parsonage Road (M17-B4-L2A)	Application for Perc Test	Waiting for proposed plan

MINUTES OF THE MEETING	PAGE FOUR	6/13/2023
4. NEW BUSINESS		
<u>Perc Tests</u>		
202 West Street ((M10-B1-L14)	Application for Perc Test	Perc test complete. BOH will review proposed septic plan after it has been approved by the Conservation Commission.
131 Lake Street (M4-B4-L2)	Application for Perc Test	Perc test complete.
5. ADMINISTRATIVE UPDATES		
	Mail & Bills & Warrants for Payment	Mail reviewed; Warrants signed.
	Southern Plymouth County Public Health Excellence Collaborative	Food Inspection software will be provided to Plympton paid for by grant from Collaborative. The grant will also cover Plympton's tobacco inspections. Public Health Nurse gave a presentation to the COA.
	Massachusetts Virtual Epidemiologic Network (MAVEN)	No discussion.
	BOH Summer Meeting Schedule	BOH will meet on July 25 and August 22.
Failed Systems		
50 Forest Street (M1-B5-L8)	Failed per Title 5 Report (12-1-2017)	
68 Palmer Road (M11-B4-L4)	Failed per Title 5 Report (5-18-2022)	
8 Elm Street (M17-B2-L7)	Failed per title 5 Report (5-31-2022)	
		Motion made and voted 3-0 to adjourn. Adjourned at 6:45 p.m.

Board of Health

From: deb whphexpress.com <deb@whphexpress.com>
Sent: Tuesday, June 13, 2023 12:56 PM
To: Cathy Ferguson
Cc: Board of Health; Plympton Conservation
Subject: 55 Elm St
Attachments: 2022.03.14 Test Pit Location Plan - Elm St (1).pdf; elm_st_plan_0 Webby Wetlands Delineation map.pdf; 55 Elm River Hawk Environmental plan showing our perc results.pdf



To the Plympton Board of Health;

I see on the agenda for tonight's Plympton Board of Health meeting that William McClellan is once again coming before your board, this time to request an extension on his expired septic system permit. I ask that the board think carefully about this request. His permit has expired. If he would like to proceed, I ask that he be made to re-apply and perform perc tests under modern standards. His perc tests are from 1995 - 28 years old - and standards have changed since then.

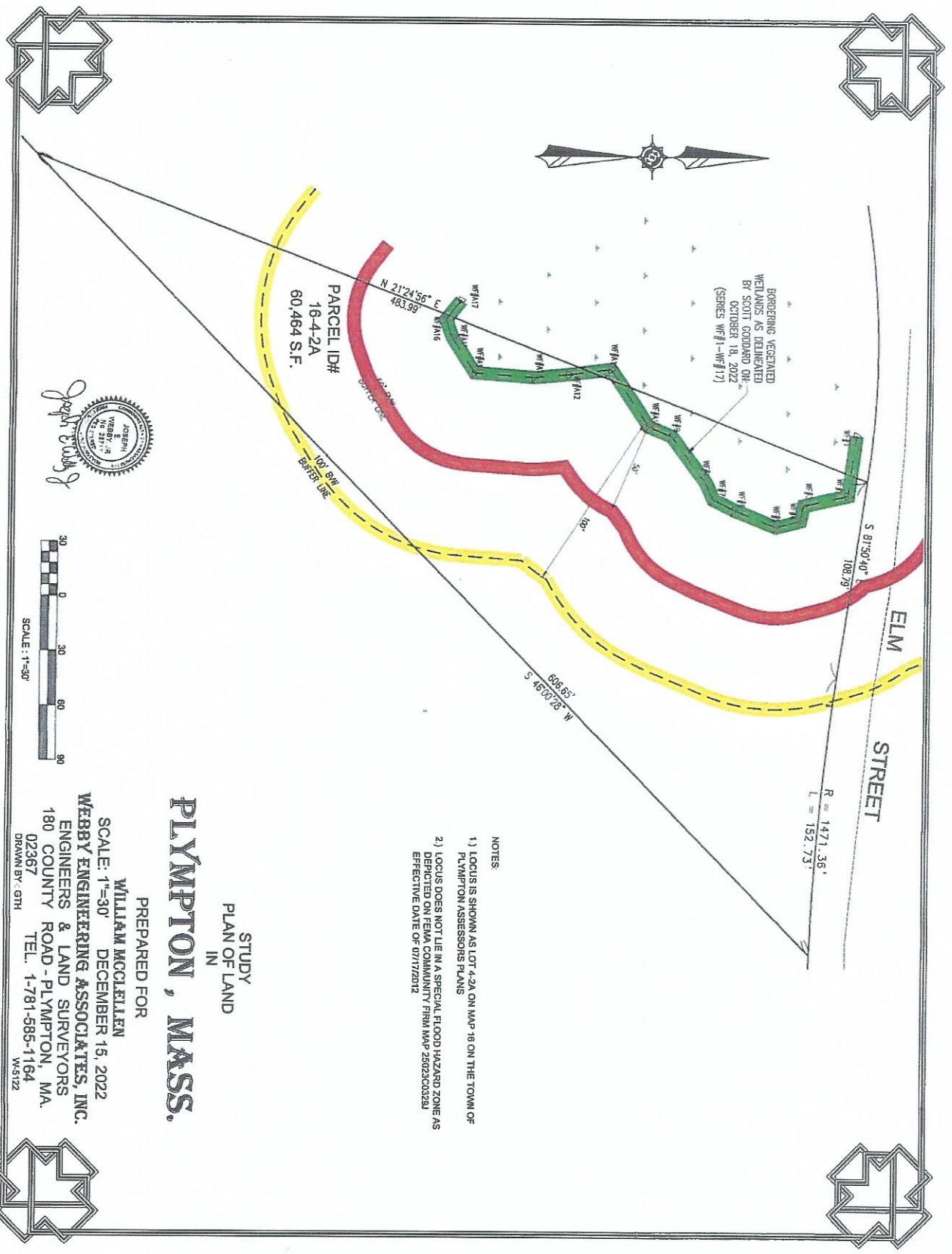
I also request that the board consider these items while coming to a decision:

1. He fraudulently moved his test pit locations. This is shown on the attached map created by River Hawk Environmental, a firm my family has hired to represent us in this matter.
2. His test pits do not show a seasonal high-water table or soil mottling depths as required; his design is based on a water table as observed in June of 1995. Without considering the seasonal high-water table data in the system design, another fear is that he will build his system IN the water table. His design is for a system with a water table at 7 ½ feet, and without the high-water table information there is a high probability he will build a system in the water table, adversely affecting the groundwater, as well as a probability of early system failure.
3. There is year-round standing water in wetlands that are in very close proximity to his test pit locations up gradient from his alleged test pit locations
4. Test pits were performed earlier this year by my agent and observed by Plympton BOH agent Kevin Forgue adjacent to the proposed McClellan lot approximately 25 feet from his test pits and show a seasonal high-water level of 21". This is also shown on the attached map.
5. McClellan concealed/omitted wetlands from the BOH and Conservation Commission that were problematic to his building envelope/ SAS location. See the attached letter from Conservation Commission peer review agent Art Allen, whose reputation is well known throughout the industry. Attached is Allen's review of his visits to the site and a copy of the map he provided the ConCom, showing there is no suitable site for a septic system and questioning the site for his well.
6. McClellan characterized his new soil absorption system at 55 Elm as a repair to be considered for leniency for permitting and was granted multiple variances citing financial hardship. He then hired Arthur Bloomquist to perform a title 5 inspection on the existing SAS built in 1995 which passed. The repair was performed with the purpose of new development not repair.

I think it would be prudent for the board to reject Mr. McClellan's request for an extension on his expired permit considering the recent discovery of omissions and misrepresentations, as well as groundwater protection.

Thank you,
Deborah Anderson
49 Elm Street
Plympton, MA 02367
deb@whphexpress.com
781-293-0420

Deborah Anderson
Express Newspapers
1000 Main Street, Suite 204
PO Box 60
Hanson, MA 02341-0060
Tel: 781-293-0420
email: deb@whphexpress.com



ELM STREET

R = 1471.36'
L = 152.73'

BORROWING VEGETATED
WETLANDS AS DELINEATED
BY SCOTT GODDARD ON:
OCTOBER 18, 2022
(SERIES WF#1-WF#17)

PARCEL ID#
16-4-2A
60,464 S.F.



NOTES

- 1.) LOCUS IS SHOWN AS LOT 4-2A ON MAP 16 ON THE TOWN OF PLYMPTON ASSESSORS PLANS
- 2.) LOCUS DOES NOT LIE IN A SPECIAL FLOOD HAZARD ZONE AS DEPICTED ON FEMA COMMUNITY FIRM MAP 25023C0328J EFFECTIVE DATE OF 07/17/2012

STUDY
PLAN OF LAND
IN
PLYMPTON, MASS.

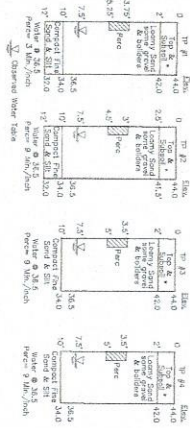
PREPARED FOR
WILLIAM MCCLELLLEN
SCALE: 1"=30' DECEMBER 15, 2022
WEBBY ENGINEERING ASSOCIATES, INC.
ENGINEERS & LAND SURVEYORS
180 COUNTY ROAD - PLYMPTON, MA.
02367
TEL. 1-781-585-1164
DRAWN BY: GTH
WES/122

NOTES:

1. INFORMATION SHOWN HEREIN IS BASED ON PLANS OF RECORD AND MASSACHUSETTS SD DATA. ASSUMPTIONS HAVE BEEN MADE. NO FIELD VERIFICATION WAS CONDUCTED.
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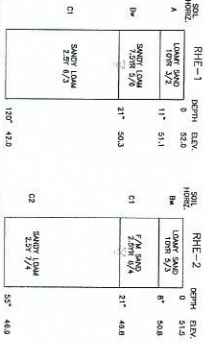
SOIL DATA: (MAP 16, BLOCK 4, LOT 2)

DATE PERFORMED: JUNE 3, 1995
 TEST PERFORMED BY: DR. TERRY, P.E.
 WITNESSED BY: R. OVERT, PLYMPTON BOARD OF HEALTH
 SOIL LOGS
 Health Agent: R. Overt, P.E.
 Observed by: R. Overt, P.E.



SOIL DATA: (MAP 16, BLOCK 4, LOT 1)

DATE PERFORMED: MARCH 10, 2002
 TEST PERFORMED BY: BOB HEDGECOCK, P.E., RIVER HAWK ENVIRONMENTAL, LLC
 WITNESSED BY: KIM FORNIO, PLYMPTON BOARD OF HEALTH



WETTING: 30"
 STRONG WETTING: 30"
 STRONG WETTING: 30"
 STRONG WETTING: 30"

LEGEND

- 1. TEST PIT LOCATION SHOWN ON RESEARCH ASSOCIATES PLAN
- 2. TEST PIT LOCATION SHOWN ON RESEARCH ASSOCIATES, INC. PLAN
- 3. TEST PIT CONDUCTED BY RIVER HAWK ENVIRONMENTAL, LLC

SOIL LEGEND

- 70A: MODERATELY FINE SAND LOAM
- 70B: DEEPER FINE SAND
- 70C: DEEPER FINE SAND
- 70D: DEEPER FINE SAND



COMPILED PLAN 55 ELM STREET, PLYMPTON, MA		River Hawk ENVIRONMENTAL CIVIL ENGINEERING & ENVIRONMENTAL CONSULTING 2785 OCEAN STREET, WARRENFIELD, MA 02056 781-536-4639 www.RiverHawkLLC.com		03/11/2022	JARED ANDERSON ELM STREET PLYMPTON, MA			<table border="1"> <thead> <tr> <th>REV.</th> <th>DATE</th> <th>DESCRIPTION</th> <th>BY</th> <th>APP.</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>		REV.	DATE	DESCRIPTION	BY	APP.																				
REV.	DATE	DESCRIPTION	BY	APP.																														
SP1.1	DATE: MARCH 11, 2022	PROJECT NO.: 00637-01-02	SCALE: AS SHOWN	DRAWN BY: HR	DESIGNED BY: RSR	CHECKED BY: RSR	APPROVED BY: RSR																											

SP1.1



EcoTec, Inc.

ENVIRONMENTAL CONSULTING SERVICES

102 Grove Street

Worcester, MA 01605-2629

508-752-9666 / Fax: 508-752-9494

MEMORANDUM

Date: March 1, 2023

To: Plympton Conservation Commission

From: Arthur Allen, CPSS, CWS, CESSWI

Re: Wetland Peer Review Results – Parcel 16-4-2A Elm Street, Plympton, MA (DEP File #266-0232)

Via E-Mail

page 1 of 3

I have reviewed the Abbreviated Notice of Resource Area Delineation (ANRAD) and associated, revised documentation and have performed two site visits. Below you will find my comments and recommendations (in **bold**) on the proposed project.

Documents Reviewed:

- ✓ DEP Wetlands NOI Project Information page;
- ✓ Notice of Intent WPA Form 4A with attachments under cover dated January, 2023;
- ✓ Study Plan of Land in Plympton, Mass dated December 15, 2022.

Comments & Recommendations:

1. The DEP Project Information web page did not provide any comments .
2. I visited the site on February 24 & 27, 2023. During my February 24th visit I was accompanied by Nicole Hayes of Goddard Environmental. During this visit I also met with the abutter at 49 Elm Street. During my visit, revisions to the delineated wetlands were made. My preliminary comments were summarized in emails to the Conservation Commission dated February 24 & 27, 2023.
3. I verified Bordering Vegetated Wetland flags A1 to A17 as being accurate based on soils and vegetation. **I also noted an additional vegetated wetland that extends onto the property from upgradient to the southeast.** This additional wetland was historically disturbed by clearing of vegetation and light grading. At the time of my inspection, the additional wetland had discontinuous ponding, saturation, hydric soils and largely herbaceous wetland vegetation. Pink flags GC100 to GC115 were added to delineate this additional wetland. During my

second visit to the site, I used a handheld GPS to find the southwesterly corner of the site where I noted a highbush blueberry shrub swamp-type wetland, with hydric soils, extending onto the site from the southeast. **I added blue flags E-1 to E-4 in this area. A previously flagged wetland was noted, within 100-feet, across Elm Street.** The additional wetland areas are roughly depicted on the attached plan sketch. These wetlands should be survey located and depicted on a revised site plan for review.

Thank you for the opportunity to provide these comments. Please let me know if you have any questions.

AA/Monitoring/Plympton 16-4-2A EcoTec Review Memo 3_1_2023

Additional Wetland (Pink flags)

ELM STREET

R = 1471.36'
L = 152.73'

S 81°30'40"
108.79'

BORDERING VEGETATED
WETLANDS AS DEMONSTRATED
BY SCOTT GODDARD ON
OCTOBER 18, 2022
(SERIES WF#1-WF#17)

NOTES

- 1) LOCUS IS SHOWN AS LOT 4-2A ON MAP 18 ON THE TOWN OF PLYMPTON ASSESSORS PLANS
- 2) LOCUS DOES NOT LIE IN A SPECIAL FLOOD HAZARD ZONE AS DEPICTED ON FEMA COMMUNITY FIRM MAP 250230028J1 EFFECTIVE DATE OF 07/17/2012

Additional Wetland
(Pink Flags)

PARCEL ID#
16-4-2A
60,464 S.F.

STUDY
PLAN OF LAND
IN

PLYMPTON, MASS.

PREPARED FOR

WILLIAM MCCLELLLEN

SCALE: 1"=30' DECEMBER 15, 2022

WEBBY ENGINEERING ASSOCIATES, INC.

ENGINEERS & LAND SURVEYORS

180 COUNTY ROAD - PLYMPTON, MA.

02367

TEL. 1-781-585-1164

DRAWN BY: GTH

W-5122



SCALE: 1"=30'



Joseph E. Webb

Additional Wetland
(Blue Flags)

Webby Engineering Associates, Inc.

Civil Engineers • Registered Land Surveyors

Joseph E. Webby Jr.	P.L.S.
Richard R. DeBenedictis	P.E.
Joseph E. Webby III	P.L.S.
Bryan J. Webby	P.M.

Kevin Forgue, Agent
Plympton Board of Health
Town Hall
5 Palmer Road
Plympton, Mass. 02367

May 31, 2023

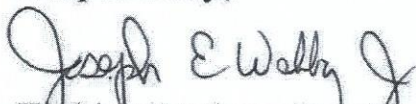
RE: #55 Elm Street

Dear Mr. Forgue, and
Plympton Board of Health Members

On behalf of William McClelland, I would like to request a one year extension to the "Application For Disposal System Construction Permit", that was issued by the Board on June 3, 2020.

If you have any questions, please contact our office.

Respectfully;


Webby Engineering, Inc.



Town of Plympton

BOARD OF HEALTH

5 Palmer Road, Plympton, MA 02367
781-585-7000

Art Morin, Jr., Chairman
Harry Weikel, Jr., Vice Chairman/Treasurer
Jared Anderson, Clerk
Kevin Forgue, Health Agent

June 15, 2023

Joseph Webby, Jr.
Webby Engineering, Inc.
180 County Road
Plympton, MA 02367

RE: 55 Elm Street, Plympton, MA (M16-B4-L12A)

Dear Mr. Webby:

Regarding your letter of May 31, 2023 asking for a one year extension to the Application for Disposal Construction Permit #1259 on behalf of your client William McClelland, the Board of Health has determined that the ***Order Suspending State Permitting Guidelines and Extending the Validity of State Permits (COVID-19 Order No. 17)*** which was signed by Governor Baker on March 26, 2020 applies in this case.

Therefore the permit is extended by that Order for an additional 462 days from the original date of June 3, 2023 (the number of days the State of Emergency was in effect) and no extension needs to be given by the Plympton Board of Health.

The Board of Health is aware that the Plympton Conservation Commission may determine a change in the current wetlands assessment that may impact the current approved plan and will keep in contact with the Conservation Commission on this issue.

If you have any questions, please do not hesitate to contact the Board of Health.

Sincerely,

Art Morin, Jr.

Art Morin, Jr.
Chairman, Plympton Board of Health