



**Town of Mendon  
Board of Health  
20 Main St. Mendon  
Minutes for  
December 2, 2015**

Vice Chairman – Alan Greenberg called the meeting to order at 7:02 p.m.

Present: Tom Fichtner - BOH Member

Not Present: Chairman Andy Fiske

Location – Board of Health Office– 20 Main Street, Mendon, MA 01756

**40 Kinsley Lane** – Prior to any discussion, Alan made a statement that he has a business relationship with Guerriere & Halnon, Inc. which is the engineering firm being used by the property owner. Alan stated that he believes he can make an impartial decision regarding this property. Alan provided this statement to provide full disclosure should there be any concern with his business relationship to Guerriere & Halnon, Inc. In response to Alan's statement, Tom conveyed his full confidence in Alan's ability to be completely impartial in this matter. In addition, both the property owner and Bob Poxon, Project Engineer for Guerriere & Halnon, Inc., confirmed their support to Alan's ability to participate in discussions & render fair and impartial judgements.

Moving forward, Mr. Poxon presented his latest plan proposal to the Board. The presentation provided a plan outlining a proposed conventional system. Based on the plan, waivers would be required in order to accommodate all of the design aspects of the proposed conventional system. Mr. Poxon also informed the Board that he has a verbal approval from the Building Inspector, who also happens to be on the Conservation Commission.

Mr. Poxon also made a reference to 18 Kinsley Lane. He cited a situation, from a few years prior, whereby the Board of Health, at that time, granted approval of a tight tank thereby setting a precedent. Mr. Poxon's proposed plan, a conventional system at 40 Kinsley Lane, incorporates a redesign for a one bedroom dwelling and would require 3 variances to accommodate the engineering aspects. It is Mr. Poxon's view that this property does not fall under the category of new construction, therefore believing that the Board has the ability to approve this plan. (To note, the issue surrounding installation of either a tight tank or a conventional system centers on whether this project is considered "New Construction" or "Repair/Upgrade" and how the definition of such relates to Title V requirements versus local approval authority.)

Alan and Tom both believe that a conventional system would be a desired way to go so long as the engineering elements proposed are in compliance and that the decision rendered by the Board factors in Title V Compliancy concerns. The Board will take the matter under advisement. No action will be taken until the full Board is able to assess the scope of the proposal presented.

The Board will meet again December 17, 2015.

Tom F. made a motion to adjourn the meeting. Alan steps down as Chairman and seconds the motion. Both members agreed. Motion carried. Meeting adjourned at 9:52 p.m.

**Approved January 20, 2016**