

Subject: FW: 40 B Comments Country Club Estates

From: "Snow, Arlanna" <Arlanna.Snow@halifax-ma.org>

Date: 12/16/20, 9:50 AM

To: "alan.dias1@yahoo.com" <alan.dias1@yahoo.com>, "Andrews, Gordon R." <Gordon.R.Andrews@halifax-ma.org>, "Dias, Alan" <Alan.Dias@halifax-ma.org>, Mark Millias <markmillias@aol.com>, "Merry, Rick" <Rick.Merry@halifax-ma.org>, "Millias, Mark" <Mark.Millias@halifax-ma.org>, "Troup, Amy" <Amy.Troup@halifax-ma.org>, "Piccirilli, Rob" <Rob.Piccirilli@halifax-ma.org>, "Renaud, Theresa" <Theresa.Renaud@halifax-ma.org>, "Viveiros, Jason" <Jason.Viveiros@halifax-ma.org>, "Joseph D. Peznola" <jpeznola@hancockassociates.com>, Chief Joao Chaves <Chief@police.halifax.ma.us>, Paul Cusson <paul@delphicassociates.com>, Pat Brennan <pbrennan@amoryengineers.com>, Larry Silva <larrys@silvaeng.com>, "Seelig, Charlie" <Charlie.Seelig@halifax-ma.org>, "Renaud, Theresa" <Theresa.Renaud@halifax-ma.org>, "Thompson, Karyn" <Karyn.Thompson@halifax-ma.org>, "O'Neil, Kathleen" <Kathleen.ONeil@halifax-ma.org>, "Bert Gaynor (bertgaynor2@gmail.com)" <bertgaynor2@gmail.com>, "Dan Borsari (dborsari@comcast.net)" <dborsari@comcast.net>, "Gerald Joy (electriclt@yahoo.com)" <electriclt@yahoo.com>, "Kozhaya Nessralla (nessfam6@comcast.net)" <nessfam6@comcast.net>, "Peter Parcellin (peteparcellin@gmail.com)" <peteparcellin@gmail.com>, "Robert BOB Durgin (rdurginjr@yahoo.com)" <rdurginjr@yahoo.com>

Hello everyone,

Please see the following comments in the email below from Board of Health Co-Chair Alan Dias regarding Country Club Estates.

Thank you,

Arlanna Snow

Zoning Board of Appeals

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Link: <http://www.halifax-ma.org/zoning-board-appeals>

From: Alan Dias <alan.dias1@yahoo.com>

Sent: Tuesday, December 15, 2020 7:18 PM

To: Bert Gaynor <bertgaynor2@gmail.com>; Snow, Arlanna <Arlanna.Snow@halifax-ma.org>; Selter, Peggy <Peggy.Selter@halifax-ma.org>; Valery, Bob <Bob.Valery@halifax-ma.org>

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Mr. Chairman,

To follow up on my comments at the last Zoning Board meeting regarding Country Club Estates, I submit the following;

(1) 310 CMR 15.002 Facility - Any real property (including any abutting real property) and any buildings

thereon, which is served, is proposed to be served, or could in the future be served, by a system or systems, where: (a) legal title is held or controlled by the same owner or owners; or (b) the local Approving Authority or the Department otherwise determines such real property is in single ownership or control pursuant to 310 CMR 15.011 (aggregation).

The BOH has agreed that legal title must be held by the same owners, Any requests for a variance would not meet the threshold required that the applicant would be deprived of, all beneficial use of the property. The reduction in the number of units would allow the septic system to be installed on the property,

(1,a) 310 CMR 15.002 Variances - Standard of Review (1) Local Approving Authorities and the Department may vary the application of any provisions of 310 CMR 15.000 with respect to any particular case except those listed in 310 CMR 15.415. Variances for increased flow to existing systems shall be governed by the provisions of 310 CMR 15.414. Variances for schools shall be governed by the provisions of 310 CMR 15.416. Variances shall be granted only when, in the opinion of the Approving Authority: (a) The person requesting a variance has established that enforcement of the provision of 310 CMR 15.000 from which a variance is sought would be manifestly unjust, considering all the relevant facts and circumstances of the individual case; and (b) The person requesting a variance has established that a level of environmental protection that is at least equivalent to that provided under 310 CMR 15.000 can be achieved without strict application of the provision of 310 CMR 15.000 from which a variance is sought. (2) With regard to variances for new construction, enforcement of the provision from which a variance is sought must be shown to deprive the applicant of substantially all beneficial use of the subject property in order to be manifestly unjust.

These provisions of 310 CMR 15.000 Title 5, are typically only utilized for repairs to existing septic system, Again, reductions in the infrastructure would allow for full compliance,

Due to soil conditions on the site, (please see Country Club Estates Septic System Design Plan sheet 10 of 13, as part of Comprehensive Permit Site Plan dated January 13, 2020, Subsurface soil exploration Data). These soil logs represent that the entire site has Silt Loam (clay) as underlying soils. Therefore there will little or no drainage through underlying soils.

The BOH will require an onsite wastewater treatment system at the site.

(2)310 CMR 15.254 (2) Pressure Distribution.

(a) Pressure distribution of septic tank/recirculating sand filter effluent to the soil absorption system shall be required for: a system to serve a facility with a design flow of 2,000 gpd or greater; a system that is not designed to discharge by gravity either from the septic tank or to the soil absorption system; a system designed for intermittent discharge of effluent to the soil absorption system; and a system with a multiple soil absorption system, unless otherwise determined in writing by the Approving Authority.

(b) The pumping chamber and pumps shall be designed in accordance with 310 CMR 15.231.

(c) The pressure distribution system shall be designed in accordance with Department guidance.

(d) Pumps, alarms and other equipment requiring periodic or routine inspection and maintenance shall be operated, inspected and maintained in accordance with the manufacturer's and the designer's specifications. In no instance shall inspection be performed less frequently than once every three months for a system serving a facility with a design flow of 2,000 gallons per day or greater and annually for a system serving a facility with a design flow of less than 2,000 gallons per day. The system owner shall submit the results of such inspections to the Approving Authority annually by January 31st of each year for the previous calendar year

The septic system proposed is a pressure dosing system, which requires emergency storage capacity of 7150 gallons of effluent. None is provided.

(3) 310 CMR 15.002 Reserve Area - An area of land with demonstrated capacity for subsurface sewage disposal upon which no permanent structure shall be constructed and which is intended for replacement of the primary disposal area should it fail.

The applicant has failed to provide this area.

(4) 310 CMR 15.104 (4) At least one percolation test shall be performed at every proposed disposal area, one in the primary area in which the soil absorption system is to be located and one in the proposed reserve area. Additional tests shall be required where soil conditions vary or as determined by the Approving Authority or where system design exceeds 2,000 gpd. In such instances, a minimum of three percolation tests, spaced uniformly over the proposed soil absorption area, shall be performed in addition to the test in the proposed

reserve area.

The required test have not been performed,

The BOH has not received an official application. These comments are based on the preliminary information we received.

Respectfully,

Alan Dias, Co-Chair
Halifax Board of Health