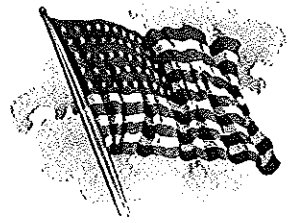




Amended

**TOWN OF HOLLAND BOARD OF HEALTH MEETING AGENDA
BOH Meets 2nd/4th Tuesday of the Month @ 7:00 pm***



Meeting Date: Tuesday, October 12, 2021, Call to Order: 7:00 PM

Next Meeting Date: Tuesday, October 26, 2021, Call to Order: 7:00 PM

Meeting location: Town Hall, 27 Sturbridge Road, Holland, MA 01521, 2nd Floor last door on the left

Members of the Public may also attend the meeting via:

1. <https://app.gotomeeting.com> Meeting ID 686-996-189
2. You can also dial in using your phone. (872) 240-3212, Access Code: 686-996-189

Call to Order

1. Pledge of Allegiance: "I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all."
2. Roll Call
3. Public Hearing for Lot 3 Brook Road, Holland MA (see attached abutters notice (mailed 9/29/2021).
 - a. In accordance with 310 CMR: Department of Environmental Protection Sections 15.211, and 15.214, abutters were notified of the following variances pertaining to the following Title 5 regulations:
 - i. 310 CMR Section 15.211 Minimum Setback Distances
 1. SAS to Proposed On-Site Well - 70'
 2. Proposed On-Site Well to Abutting SAS - 80'
 - ii. 310 CMR Section 15.214 Nitrogen Loading Limitations
 1. Greater than 132 gpd/acre

Continuing Business

4. Approval of Available Minutes
5. Review BOH task list previous items
6. Member Interests and Concerns
7. Review new task list Items
8. Discuss path forward for Town of Holland Health Agent.
9. Discussion of Open Items (Inspections, Installations, Repairs, etc.)
10. Review of Possible Future Agenda Items

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OCT 12 2021

Initial: *[Signature]* 12:57 PM

New Business

- a. Pay Bills

* Except for extraordinary meetings, holidays, scheduling conflicts or unavailability of the Town Hall

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OCT 12 2021

Initials

PLW 12:57 pm

NOTIFICATION TO ABUTTERS

In accordance with 310 CMR: Department of Environmental Protection Sections 15.211, and 15.214, you are hereby notified of the following:

- A. The name of the Applicant is **Phillip LoRicco**.
- B. The Applicant has filed a **Request for Title 5 Septic Variances** with the **Holland Board of Health**, seeking review and approval as local approving authority for the proposed subsurface sewerage disposal system at Brook Road (Lot 3).

Specifically, variances pertaining to the following Title 5 regulations:

- 310 CMR Section 15.211 Minimum Setback Distances
 - SAS to Proposed On-Site Well - 70'
 - Proposed On-Site Well to Abutting SAS - 80'
- 310 CMR Section 15.214 Nitrogen Loading Limitations
 - Greater than 132 gpd/acre

- C. The address of the lot where the activity is proposed is **Brook Road (Lot 3), Holland, MA** (Parcel R27-A-03).
- D. Copies of the **Request for Title 5 Variance** may be examined at the **Holland Town Hall at the Board of Health office** during regular business hours. For more information call (413) 245-7108 x 112.
- E. Copies of the **Request for Title 5 Variance** may be obtained from the Applicant's representative: **McClure Engineering, Inc. (508) 248-2005** between the hours of 9:00 a.m. – 4:00 p.m., Monday through Friday.
- F. **PUBLIC HEARING: Tuesday, October 12, 2021, at 7:00 PM** in the **Holland Board of Health Room**. Additional Information regarding the date, time and place of the public hearing may be obtained by calling the **Board of Health office at (413) 245-7108 x 112** or the Town Clerk's office for any posted meetings.
- G. Person sending this notification (applicant, representative or other)
Applicant's Representative:
McClure Engineering, Inc.
119 Worcester Road
Charlton, MA 01507
(508) 248-2005

McCLURE

ENGINEERING, INC

119 Worcester Road | Charlton, MA 01507 | T: 508.248.2005 | F: 508.248.4887

Professional Engineering Solutions

September 7, 2021

Board of Health
Town of Holland
27 Sturbridge Road
Holland, MA 01521

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OCT 12 2021

Initial: *PL* 12:57pm

**RE: Subsurface Sewerage Disposal System
Brook Road (Lot 3), Holland, MA
Assessor's Parcel ID: R27-A-03**

Dear Board Members:

On behalf of our Client, Philip LoRiccio (Applicant), McClure Engineering, Inc. (McClure) is submitting this letter to accompany the proposed subsurface sewerage disposal system application at Brook Road (Lot 3) (Property).

The 0.3 +/- acre property is located between Brook Road and Amber Hill Brook and is identified as Assessor's Parcel R27-A-03. The property is an undeveloped lot, and the owner proposes to develop the property for the purposes of constructing a single family home. The lot was created in 1948 prior to the Town Zoning Bylaws, MA Title 5 Septic Regulations, and the MA Wetlands Protection Act. Due to the size of the property, the abutting perennial stream, and the existing surrounding development, a subsurface sewerage disposal system which fully complies with all provisions of 310 CMR 15.00 is not possible. As this is a proposal for new construction, and the system must be in full compliance with the requirements applicable to new construction, variances to these provisions must be sought through the Local Approving Authority per 310 CM 15.414.

Variance Request:

In accordance with Subpart E of the 310 CMR 15 (Title 5), the Applicant is requesting variances for the following:

1. 15.214 Nitrogen Loading Limitations: The property does not have access to municipal water and must utilize a private on-site drinking water well, making the property a nitrogen sensitive area. Nitrogen sensitive areas are allowed up to 440 gpd per acre. With the size of the property being 0.3 +/- acres, this would only allow for a design flow of 132 gpd. The proposed 3 bedroom home produces 330 gpd per Title 5 regulations. There are many properties in close proximity which do not appear to meet the nitrogen loading requirements as set forth in 310 CMR 15.214. Per the regulations, the nitrogen loading could be offset by using nitrogen credit land in accordance with an approved Community Aggregation Plan, however, to McClure's knowledge, no such Plan exists. The design of the proposed system incorporates one of the approved secondary treatment units, the BioMicrobics MicroFAST 0.5 system, which provides for increased nitrogen removal, as well as an approved alternative Geotextile Sand Filter soil absorption system in which advanced treatment is achieved. Even with this design, due to the size of the property, the system will not meet nitrogen loading requirements per Title 5. Therefore in order to accommodate a system for the proposed single family home, the Applicant requests a variance for the nitrogen loading requirements of the property.
2. 15.211 Minimum Setback Distances: Due to the size of the property, the existing abutting perennial stream, and the existing abutting developments, in order to accommodate a soil absorption system for the proposed single family three bedroom home, the Applicant requests variances for the following setbacks:

Setback	Required	Proposed
SAS to Proposed On-Site Well	100'	70'
Proposed On-Site Well to Abutting SAS	100'	80'

3. 15.248 Reserve Area: Due to the size of the property, the abutting perennial stream, and the existing abutting developments, it is not possible to site a fully compliant reserve area. In the event that the proposed SAS fails, the system could be replaced in-place of the proposed primary SAS, local upgrade approvals could be granted for the siting of a replacement SAS, or a tight tank could be installed. Therefore the Applicant requests a variance for the requirement to show a proposed reserve area.

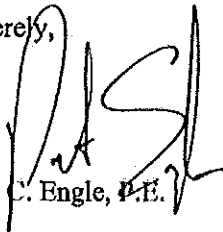
In McClure's opinion, the full enforcement of the provisions of 310 CMR 15.00 for which relief is sought would be manifestly unjust and would deprive the Applicant of substantial beneficial use of the property, considering when the lot was created, the size and location of the property, the grandfathered status of the property as a buildable lot, the existing development of abutting properties, the existing abutting perennial stream, and similar nonconformance of these same provisions on other properties in close proximity in town. The system as designed with the proposed MicroFAST Nitrogen Treatment Tank and Eljen Geotextile Sand Filter SAS will establish a level of environmental protection that is at least equivalent to that provided under 310 CMR 15.00, and a greater level of environmental protection than many of the other properties within close proximity provide.

The following documents are enclosed for your review in support of this project:

- MassDEP Form 1A Disposal System Construction Permit Application
- "Subsurface Sewerage Disposal System - Brook Road (Lot 3), Holland, MA", prepared by McClure Engineering, dated 8/25/21.

If you have any questions regarding the enclosed subject matter, please contact me at (508) 248-2005.

Sincerely,



Peter C. Engle, P.E.

Enclosures

cc: Mr. Phil LoRiccio, 13 Union Road, Holland, MA 01521

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OCT 12 2021

Initial: 

12:57 PM

7020 2450 0000 1687 6536

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Holland, MA 01521

Certified Mail Fee	\$3.75
Extra Services & Fees (check box, add fee to total rate)	\$3.05
<input type="checkbox"/> Return Receipt (hardcopy)	\$1.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.58

Postmark Here: **SEP 28 2021**

CHARLTON POST OFFICE
09/29/2021
0501
CHARLTON, MA 01501

Gabriau, Paul
5 Brook Road
Holland, MA 01521

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7020 2450 0000 1687 6468

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Extra Services & Fees (check box, add fee to total rate)	\$3.05
<input type="checkbox"/> Return Receipt (hardcopy)	\$1.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.58

Postmark Here: **SEP 29 2021**

CHARLTON POST OFFICE
09/29/2021
0501
CHARLTON, MA 01501

Merriman Dwight & Dawn
5 Short Road
Holland, MA 01521

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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Extra Services & Fees (check box, add fee to total rate)	\$3.05
<input type="checkbox"/> Return Receipt (hardcopy)	\$1.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.58

Postmark Here: **SEP 29 2021**

CHARLTON POST OFFICE
09/29/2021
0501
CHARLTON, MA 01501

Blodgett Farm @ Mashapaug, LLC
178 Mashapaug Road
Holland, MA 01521

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7020 2450 0000 1687 6542

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Holland, MA 01521

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Extra Services & Fees (check box, add fee to total rate)	\$3.05
<input type="checkbox"/> Return Receipt (hardcopy)	\$1.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.58

Postmark Here: **SEP 29 2021**

CHARLTON POST OFFICE
09/29/2021
0501
CHARLTON, MA 01501

Fairchild, Christopher & Holly
18 Amber Road
Holland, MA 01521

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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Initial

[Handwritten initials]

12:57pm