

# **Board of Health Meeting Minutes**

## **May 21, 2015**

Present: Rich Maccagnano, Karen Spaziante, Claire Ann Scaramella and Scott Moles.  
Rich called the meeting to order at 7:00 p.m.

### **Public Comment**

Charlie Spaziante thanked the Board for the sympathy card sent to him and Karen for the tragic loss of his sisters.

Chairman Rich Maccagnano welcomed new Board of Health member Claire Scaramella.

### **Approval of Minutes**

**A motion was made by Karen Spaziante and seconded by Rich Maccagnano to approve the 5/4/15 minutes. All in favor.**

**A motion was made by Rich Maccagnano and seconded by Karen Spaziante to approve the 5/14/15 minutes. All in favor.**

### **194 Lowland Street Discussion**

Mike Brumber, Attorney Chris Malcolm and Will Conrad of SCS Engineers, joined the meeting for the discussion regarding the cease and desist order on composting at 194 Lowland Street. Rich Maccagnano asked Mike to explain his situation as far as the compost permitting was concerned. Mike said he thought he was all set with the DEP permit process and the Board of Health once he submitted his DEP approval to Ann McCobb. He said he did not realize there were additional requirements to be submitted to the Board. Now that he understands the requirements he is working with Chris Malcolm and Will Conrad to help complete the application and get the business operating appropriately. Chris Malcolm explained that Mike is addressing the Conservation Commission concerns and the Planning Board requirements. Rich told Mike that a cease and desist order is not something they like to issue but the Board must see that all the requirements are in process to being met. As outlined in the May 13, 2015 memorandum, Scott explained items that the Board requested previously and that the Board requested a 21E status update from the LSP for the DiCarlo's. Mr. Moles and Chuck Katuska, Holliston Conservation Agent, spoke with DiCarlo's LSP, Todd Alving. Mr. Alving indicated that they are current with DEP permits, are in the final testing for cleanup certification, and that the requirements for a closing report (due in June 2015) will be provide to the Board. Mr. Alving also indicated that any new contamination found would not be attributed to the current 21E clean-up. Conservation and the Planning Board have scheduled hearings and not given any approvals for the project. Odor, noise, and site plan remediation are also part of their requirements. The residents were encouraged to attend those hearings too. As for the DEP approval, the submittal required the Board to receive an operations plan that has not been provided.

Rich Maccagnano then invited the other meeting attendees to voice their concerns regarding the 194 Lowland Street operation. Larry Gordon, Cold Chain Technologies, and Attorney Jared Otte, spoke about the odors particularly and described them as jaw-dropping. Larry questioned how the Town can issue permits to a business producing this odor and allow his business to be impacted in this way. Mike Brumber said that Larry has a legitimate complaint and that he wants to try to correct it. Will Conrad explained how proper operating procedures would be faster, more efficient and have less negative impact on the surroundings. Rich said the Board will not allow a permit if the odor cannot be managed. Other attendees spoke about their concerns which included dust control, noise and truck queuing before opening. The possibility of a compliance officer was discussed and Rich told the group that while that method is successful at another business in town, it is too early in the process to consider that for this location. Mike explained that if the businesses were operating as planned that 194 Lowland would be organic loam and leaves and 157 Lowland would be recycled asphalt, brick and concrete.

It was suggested that an email list be formed where Mike could notify interested parties of specific operations like turning the compost. This idea was favorably received. Rich said the Police Department would be asked to monitor the roadway for trucks idling before hours. Mike said he was sorry for the inconvenience and that he thought his operation was above board and he is now spending time and money to make that happen. Mike said that he would abide by the Board's cease and desist, then the Board expressed their concern over the necessity of the cease and desist being filed in court at this time for the Town. The Board will assist with any permitting, while supporting the needs of the other departments.

### **28 Pleasant Street LUA**

This hearing was postponed at the prior meeting due to Eric Dickinson having to recuse himself. Health Agent Scott Moles presented a Geoflow microfast system as proposed, designed by Joe Nihill of GLM for 28 Pleasant Street. A 2 foot waiver to high ground water and a sieve for the perc rate is requested. The system is not in a Zone II.

**Motion: Karen Spaziante motioned to grant a variance to allow the SAS to be installed 2 feet above high groundwater with the installation of a FAST and Geoflow system and to allow the sieve for the perc rate at 28 Pleasant Street. Claire Scaramella seconded and all in favor.**

### **590 Winter Street LUA**

Health Agent Scott Moles presented a plan designed by Paul Saulnier of Civilized Solutions for 590 Winter Street. The old tank was originally going to be used but the plan has been revised to include a new monolithic tank. The old tank will be pumped dry and filled and the sewer pipe will run through the old tank. A 1 foot waiver to high ground water and a sieve in addition to the perc rate is requested.

**Motion: Karen Spaziante motioned to grant a variance to allow the SAS to be installed 1 foot above high groundwater and to allow the sieve for the perc rate at 590 Winter Street. Claire Scaramella seconded and all in favor.**

### **Health Director's Report**

No written update report was available as Health Agent Scott Moles reported he had spent a good deal of time on Lowland Street.

The next meeting will cover the Compliance Officer contract for Covanta oversight.

White Pines Estates: a fee was collected for site plan review of \$1,700.00. Since the Board no longer handles stormwater the Board felt the fee could be returned to the applicant. The fee will be evaluated for actual BOH review and costs. Some money could be considered to be returned for perc testing requirements. Scott Moles said that some fee should be collected and that he would review the last 3 – 4 site plan reviews for guidance.

49 Central Street: the soil test has been done with Joe Nihill, GLM Engineering.

Rich Maccagnano requested that all licenses be checked for expiration dates, that Board appointments be reviewed.

### **Board Member Comment**

Karen Spaziente thanked the Board for the sympathy card.

Claire Scaramella will not be at the 6/18/15 meeting.

**Rich Maccagnano motioned to adjourn the meeting at 8:25pm. Karen Spaziente seconded, and passed unanimously.**

Respectfully submitted:

Lisa Deering, Health Department Clerk

Approval Date: 6-4-15