

Board of Health Meeting Minutes

June 18, 2015

Present: Rich Maccagnano, Karen Spaziante and Scott Moles. Claire Scaramella was absent. Karen called the meeting to order at 7:30 p.m.

Birch Road Septic Plan with Nitrogen Loading

Paul Saulnier, P.E., Civilized Solutions and property owner Charles Maley joined the discussion. Paul explained that Charlie owns 4 contiguous lots on Birch Road that total 20,000 sq.ft. Although this would allow him to build a 2 bedroom home, he would prefer to build a 3 bedroom home.

Title 5 allows an owner to use other lots within the same Zone II area for nitrogen load credits. Charlie owns a nearby 5,000 sq.ft. lot and his neighbor has sold him septic rights to another 5,000 sq.ft. to give him a total of 30,000 sq.ft., enough for a 3 bedroom home.

Rich Maccagnano questioned whether wetlands or flood plain were an issue and Paul said neither was. Health Agent Scott Moles explained that the Board holds the restriction on the land used for nitrogen loading, stating that it must be left as vacant unused land in perpetuity. The only way to remove the restriction is with a public hearing at the addition of sewers. Paul added that the proposed septic plan meets Title 5 with no variances.

Pump Review Fee

Paul Saulnier stayed for the pump fee discussion. A comparison of neighboring towns was updated for septic related fees discussion. Rich Maccagnano said he preferred our town not having the highest fees around and that we shouldn't be trying to raise them. Paul explained that a system designed for a pump required more work of the Health Agent, requiring extra plan review time and often an extra inspection as well as additional follow up with the Building Department. The discussion centered around passive versus active innovative/alternative (I/A) systems and whether the pump is built into the operation of the system or due to contours of the property.

The Board agreed that a fee could be required for passive I/A systems and decided to bring this discussion back to the next meeting for a decision.

194 Lowland Street Update

Health Agent Scott Moles told the Board that several complaints have been received in the office regarding the operation at 194 Lowland Street. The Board reviewed the complaints. No applications have been submitted to the Board at this time. The complaints have been primarily regarded odor, noise and trucks queuing prior to opening.

Scott said he had not been out to the site since prior to the 5/21/2015 Board of Health meeting and Rich Maccagnano asked him to respond to the next odor complaint if timing

allows. Rich would also like to invite Mike Brumber to the next meeting and to respond to the letters of concern.

Community member Liz Theiler joined the meeting and said she is very concerned about the Zone II area and town wells 5, 6, and 7. Her concern involves the collection of composting materials and potential pesticides in the grass clippings and their effect on the wells.

Karen Spaziante expressed the need to know what is in the composting piles. Scott agreed there is a concern over what the Framingham landscaper dumped prior to any permitting. Liz wondered how it could be that they are allowed to exist. Rich explained that when Mike first came to the Board there were no piles and Mike told the Board his plan and was told of his permitting responsibilities. Time went by and no applications were received and then complaints started.

Scott reminded the Board of the 5/13/2015 Board of Health memo asking for a cease and desist on the composting business. He told them that the Planning Board and Conservation Commission's hearings have been continued at the request of Mike Brumber's attorney. He also told the Board that the MADEP is requiring Mike to turn the piles every 30 days to reduce the smell and to avoid becoming a fire hazard. Rich asked Scott to make the Water Department aware of the Zone II and town well concerns and to ask for their comment on the situation. Liz thanked the Board for action to date.

49 Church Street Update

Health Agent Scott Moles told the Board that the system passed the pre-backfill inspection and Don Kramer is covering it. The system is in and functioning and the paperwork should be in next week.

White Pines Estates II

The Planning Board and Conservation commission review of the drainage would overlap a Board of Health review so the fee will be returned to the client. The soil testing is done and Scott has been out to the site. Two remaining concerns to be addressed are fire access with a communal driveway and water pressure.

Budget

The Board will not have to go to the Finance Committee for any FY15 year end requests.

Health Director's Report

Region 4a & 4b will no longer be managed by IIGL. MAPC will be taking over the financial management.

Water Shut Off: A letter was received from the Water Department stating the potential shut-off of domestic water supply on July 1st for not allowing meter work. Rich Maccagnano asked health Agent Scott Moles to send the Sean Reese a letter saying

the Board is not in support of this action as the Town is creating the sanitary code violation with water shut off.

All **professional licenses** are up to date.

Trans-fats: The FDA is cutting trans-fats in all food over the next 3 years.

Waushakum Live Steamers: Jim O'Brien of Waushakum Live Steamers came in to inquire about pulling a permit for a tight tank. This prompted Health Agent Scott Moles to investigate the current situation. He explained that definitely a food permit is required. After a visit next week with Building Inspector Peter Tartakoff, Scott will determine if any other permitting is required.

Compliance Officer: The Board signed the FY16 contract for the Covanta Compliance Officer with Brian V. Moran of Fay, Spofford & Thorndike.

Approval of Minutes

A motion was made by Karen Spaziente and seconded by Rich Maccagnano to approve the 5/21/15 addendum minutes. All in favor.

A motion was made by Rich Maccagnano and seconded by Karen Spaziente to approve the 6/4/15 minutes. All in favor.

Board of Health Liaisons & Appointments

Motion: Karen Spaziente motioned to accept the Board of Health annual appointments as listed in the attached memo, seconded by Rich Maccagnano. All in favor.

FY16 annual Board of Health liaisons will be done at the next meeting.

Karen Spaziente motioned to adjourn the meeting at 8:30pm. Rich Maccagnano seconded, and passed unanimously.

Respectfully submitted:

Lisa Deering, Health Department Clerk

Approval Date: 7-16-15