

# Board of Health Meeting Minutes

## December 22, 2016

Present: Julia Lane, Karen Spaziante and Scott Moles. Claire Scaramella was absent.  
Karen called the meeting to order at 7:00 pm.

### Public Comment

None

### Approval of Minutes

**A motion was made by Karen Spaziante and seconded by Julia Lane to approve the 12/8/2016 minutes. All in favor.**

### Approval of Bills

The following bills were approved and signed:

Division of Professional Licensure	\$66.00
MHOA membership	\$60.00
Century Health Systems, VNA	\$132.00

### 1750 Washington Street Variance Request

Health Agent Scott Moles presented the elevator construction plan for 1750 Washington Street, offices of Park & Rec, Veterans Services and Youth & Family. The Board of Selectmen via Jeff Ritter, Town Administrator are requesting set back variances for the installation and construction to the existing septic system. A 40 mil barrier will be required and Scott will be on site as necessary to inspect the excavation and construction.

**Motion: Karen Spaziante motioned to grant the variance requested by the Board of Selectmen for the installation of an elevator at 1750 Washington Street; Title 5 Section 310 CMR 15.211: Reduction of the setback of the elevator to the septic tank and to the leaching field. Seconded by Julia Lane, all in favor.**

### 20 Paul Road LUA

Eric Dickinson, Civilized Solutions, presented the plan for septic upgrade at 20 Paul Road, a 3 bedroom, single family home. The system design is an Eljen system with a variance request for distance to groundwater. Even with an Eljen, the design will have a pump and be slightly mounded. It is outside the 100' buffer zone but ConCom had some concerns and silt fence will be on site at the time of construction.

**Motion: Karen Spaziante motioned to grant a variance to 20 Paul Road to allow a 2 foot separation to SHGW, a 12 inch separation to inverts and require a deed restriction. Julia Lane seconded, all in favor.**

### Tobacco21 Registration

Lester Hartman, MD MPH FAAP, a proponent of Tobacco21 in Massachusetts, towns raising the age of tobacco consent to 21 years of age, visited the Board of Health recently. He left material for the Board to review and would like to be invited to a future meeting for

discussion. Karen Spaziente suggested he be invited to a meeting in late January or early February.

### **Marijuana Legalization Update**

Health Agent Scott Moles gave the Board a letter from the State outlining the legalities. He told them the town of Ashland is proposing a moratorium until December 2017. Licenses from the State aren't available until October 2017. Scott will keep the Board informed of any updates. General discussion was noted about delay and home growth potential under the law.

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

**194 Lowland Street:** Health Agent Scott Moles attended a meeting regarding the Michael Brumber property at 194 Lowland Street along with Town Planner Karen Sherman, Police and Fire department officials. It has taken over 5 months to permit removal the compost pile from the site and there are still potential issues of noise, odor, and screening. The Board could produce a new enforcement order or wait to see if the Planning Board's permit will satisfy the Board of Health as well. The current enforcement order is still in effect.

### **22 Fruit Street – LUA**

Paul Saulnier and Eric Dickinson, of Civilized Solutions, were at the meeting to present the variance request for 22 Fruit Street. The lot is very small at .11 acres with high groundwater (HGW). The system will be mounded, walls on 3 sides of a tight lot. The testing of the site leads them to believe that the area was filled at one point. The system design has no increase in flow for a two bedroom home. A two bedroom deed restriction will be required. There is an 18" reinforced concrete pipe (RCP) that runs along one side of the property to drain to the canal. Health Agent Scott Moles want to be sure the RCP is referenced in the deed restriction and will require a pre-construction meeting. During the construction Tom Smith, Highway Department, will inspect the RCP.

**Motion:** Karen Spaziente made a motion, seconded by Julia Lane, to approve the LUA for 22 Fruit Street contingent on Conservation Committee approval and including a deed restriction as noted above, based on the letter revised 12/19/2016 as follows:

**1.) Section 310 CMR 15.405(1)(h)(2):** To allow a reduction from 5-feet to 4-feet separation between the bottom of the SAS (Soil Absorption System) to the high groundwater elevation for soils with percolation rates less than 2-minutes per inch. There is no proposed increase in design flow nor reduction in the required SAS area.

**2.) Section 310 CMR 15.405 (1)(a):** To allow a reduction of the setback of the SAS to the front and side property line(s) from 10-ft to 5.0-ft and from 10-ft to 7.5-ft respectively due to limited lot size and area outside of conservation buffers.

**3.) Section 310 CMR 15.405 (1)(a):** To allow a reduction of the setback of the septic tank and pump chamber to the side property line from 10-ft to 3.6-ft and from 10-ft to 4.6-ft respectively to the side lot line due to a limited lot size and available area outside of conservation buffers.

**4.) Section 310 CMR 15.405 (1)(b):** To allow a reduction of the setback of the SAS to the foundation wall from 20-ft to 4.9-ft due to the limited yard area. A 40-mil impervious barrier is proposed to compensate for this Variance.

5.) Section 310 CMR 15.405 (1)(b); To allow a reduction of the setback of the septic tank and pump chamber to the foundation wall from 10-ft to 4.5-ft and 5.1-ft respectively due to the limited lot size. The tanks shall be sealed with bituminous to compensate for this Variance.

6.) Section 310 CMR 15.405 (1)(f); To allow a reduction in the setback of the septic tank and pump chamber from 5-ft to 3.1-ft and 3.9-ft respectively from the reinforced concrete drain pipe due to site constraints.

7.) Section 310 CMR 15.405 (1)(f); To allow a reduction in the setback of the SAS from 10-ft to 6.4-ft from the reinforced concrete drain pipe due to site constraints.

8.) Section 310 CMR 15.405 (1)(j); to allow a reduction of the requirement of a twelve (12) inch separation between the inlet and outlet tees to high groundwater, if all boots or pipe joints area sealed with hydraulic cement or installed with watertight sleeves and the tank is proven watertight.

**All in favor.**

Paul asked if the requirement for using the return receipt signature form could be waived for hearing notifications and Scott told him he would check hearing procedures.

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

**Construction at Highlands at Holliston:** Health Agent Scott Moles attended a meeting with Town Planner Karen Sherman and employees from Fafard, Toll Brothers, and Guerriere & Halnon Engineers. They were invited to the meeting to discuss construction issues of concern to Scott and Karen. The road bond amount was increased by the Planning Board due to a road being ripped up and the builders are not in agreement with the bond increase. Scott believes the increased bond amount is insufficient to complete the road and would like to hold any septic Certificates of Compliance until the road is safe and passable and any increased bond amount is posted.

**Motion:** Karen Spaziante motioned, seconded by Julian Lane, to not allow any Certificates of Compliance on Constitution Village be issued until the extra bond amount for Planning Board is issued. All in favor.

**FY'18 Budget:** the Budget meeting with the Finance Committee to present the Board of health budget is scheduled for February 9, 2017.

#### **Board of Health Comment**

Karen Spaziante wished all Merry Christmas.

**Karen Spaziante motioned to adjourn the meeting at 7:55 pm, seconded by Julia Lane. All in favor.**

Respectfully submitted:

Lisa Deering, Health Department Clerk

Approval Date: 1-12-17