

# Board of Health Meeting Minutes

August 15, 2013

Present: Rich Maccagnano, Karen McManamon, Eric Dickinson and Ann McCobb. Rich called the meeting to order at 7:00 p.m.

## Public Comment

None

## Approval of Minutes

**Motion:** A motion was made by Karen McManamon and seconded by Rich Maccagnano to approve the 8/1/13 Regular Session minutes. All in favor.

## Approval of Bills

The following bills were approved and signed:

G&L Laboratories, 7/15/13	\$60.00
G&L Laboratories, 7/23/13	\$60.00
Westcott Site Services, #6309-95-1	\$285.00
Westcott Site Services, #6309-58-5	\$118.75
Mayer, Antonellis, Jachowicz & Haranas, LLP	\$116.00

## Health Director's Report

**CMMCP & West Nile Virus:** A newly placed trap on Water Street tested positive for West Nile Virus (WNV) in early August. Mosquito control (CMMCP) stepped up with their procedure and agreed to spray in Holliston earlier than regularly scheduled. They have made a very good effort this season, spending two days per week in town instead of one.

## 11 Dixon Circle – Variance Hearing

Paul Saulnier, Civilized Solutions, representing the owner presented the upgrade plan for 11 Dixon Circle. He said that property borders wetlands from Houghton's Pond but that the ground water is probably lower than in the past due to the partial draining of the pond. There is good sandy soil on the property. The ground water correction factor is based on a 2.5 ft adjustment up using the Frimpter calculator. It is an existing 4 bedroom home with no increased flow proposed. The design is outside of the 100 ft wetlands no-disturb line. It is 10 ft off the property line and 15 ft off the foundation instead of 20 ft and has added an impervious barrier to the design.

Paul has requested two variances;

1. To allow the distance to the foundation of 15 ft;
2. To allow the system to be 4 ft above ground water instead of 5 ft for a less than 2 minutes per cent rate.

Title 5 allows only one test hole if the old system is not being interrupted. Rich Maccagnano requested that the cover to the effluent filter be to grade. Paul stated that it is and that many new tanks are now built with pre-cast risers. Ann McCobb stated that the site is very limited and Paul addressed all the concerns she had.

**Motion:** A motion was made by Eric Dickinson and seconded by Karen McManamon to allow the following variance requests to Title 5 Local Upgrade Approval:

1. Section 15.405(1)(b), to allow the SAS (soil absorption system) to be 15 feet off the foundation wall versus 20 feet required.

**2. Section 15.405(1)(b), to allow the SAS to be 4 feet above seasonal high ground water versus 5 feet required in order to avoid the use of a pump chamber.**

**All in favor.**

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

**81 Railroad Street:** Rich Maccagnano asked Paul Saulnier for an update of the project regarding a concern of the Rail Trail Chairman Robert Weidnecht. Paul stated that it was necessary to stockpile the material dug out because to remove it would have been cost prohibitive for the project. The first half of the project was completed and improved by removing a 2ft depression that was catching rainwater and graded the area away from the rail bed. He stated that Casey's has been good to the Town and the plan is to restore the area to the condition it was found. Paul will send an email of explanation to Ann McCobb.

**Rail Trail:** There was drainage complaint about 35 Chestnut Street from the Rail Trail Chairman Robert Weidnecht. Ann McCobb looked at the site and observed that it is not septic related but that a roof drain is built to drain directly onto the path of the rail trail. This is not under the Board of Health's jurisdiction but she will help the matter if she can.

**330 Marshall Street Animal Complaint:** At the request of Magali Black, attorney for Eric Waldman, the hearing was postponed. Ann McCobb distributed maps of the area including the landfill at the request of the Board. She will get the testing results for some of the sites shown on the map.

**September Meetings:** Due to conflicts the September meeting dates have been changed to 9/12 and 9/26/13. The postings will be updated.

**Motion:** Rich Maccagnano motioned at 7:40pm to leave public session for the purpose of entering into executive session with the intent to return to public session, seconded by Karen McManamon. Rich Maccagnano, Aye; Karen McManamon, Aye; Eric Dickinson, Aye.

The Board re-entered public session at 8:05pm.

**Marshall Street Former Landfill:** Ann McCobb explained that no bills had been paid in the last fiscal year so no action had been taken by Steve Wright of Kleinfelder. Steve told Ann he had not provided a new draft contract to Paul LeBeau so she surmised that he had updated an old contract in order to get the process in motion. Ann went through the most recent contract Steve provided page by page and the only difference from the April contract is in the compensation. Rich Maccagnano questioned the total cost and Ann stated it was \$70,800.00 up from \$66,000.00 in the prior contract. It will run for 3 years and is comparable to the prior contract. Rich would like to add criteria stating the contract is in affect until "testing is no longer required by the DEP". The Board would also like to add language stating they would receive copies of the bills as they are issued.

**Motion:** A motion was made by Rich Maccagnano and seconded by Karen McManamon to accept the Kleinfelder Northeast, Inc. contract, dated August 2013, as presented with the addition of the following changes:

- 1. Page 5, Section 4G. The Board of Health will receive copies of all invoices issued by Kleinfelder Northeast, Inc.**
- 2. Page 9, Section 7. Inserted in the paragraph beginning with "The obligation..." a clause stating termination is allowed if testing is no longer required by the DEP.**

**Karen McManamon seconded. All in favor.**

Ann McCobb will send the contract to Steve Wright on Friday 8/16/13.

**Crestview Pool Permit:** Ann McCobb inspected the Crestview Pool on Wednesday 8/14/13 and all the requirements were in place. The pool looked very good.

**HHS Concession Stand:** The DEP has not approved tight tank use. Keith Buday, Business Manager, would like to meet with Ann McCobb and Rich Maccagnano to pursue any possible solution. Ann will call Keith to set up a meeting.

**Tobacco:** Ray Azir, Central Café & Convenience, would like to stop the pharmacy from selling tobacco similar to neighboring towns. The Board has not received a formal request at this time.

**Mangia Pizzeria:** Len Izzo, Food Inspector, is doing a pre-opening inspection for the new owners. If all goes well they are planning on opening on Saturday.

**Stoneworks, 53 Jeffrey Avenue:** Ann McCobb received email from Michelle Delemarre, DEP, regarding the permitting of Stoneworks. They are requesting their permits from the Board of Health but Ann McCobb would first like to see how they are handling operating waste water and a hauler's contract.

**Dunkin' Donuts:** There are no updates at this time. Ann McCobb will ask Rich Westcott for one.

**Covanta:** Ann McCobb will write them another letter. In the first letter from Tonya McKenzie she missed the bacteria testing. Tonya wrote an apology letter and said she would follow up with the testing. Ann will inform her of the standards. Rich Maccagnano would like to send a letter to Tonya, Derek Grasso and Tom Stanwood saying they are out of compliance and they need help to get back to compliance. Ann does not want to use that approach, saying the Board should not be telling Covanta how to reach the requirement but that an engineer or consultant should propose the plan and the Board should review it. The Board agreed and Ann will forward the letter to them before it is sent.

**Zoning Application, 70 Bartzak Drive:** It is not a change of use. The company makes synthetic DNA and RNA. There are 6 employees and there is no concern about waste water. There is an emission that has a DEP exemption.

**Lista:** Rich Maccagnano had a question about water usage at the company. He had heard it was way up and he is concerned they are not using their evaporators. Ann McCobb explained that they had a recent water issue in the building with a valve being stuck in the open position which caused a 40,000 gallon water loss.

**Motion:** Rich Maccagnano motioned to adjourn the meeting at 8:55p.m. Seconded by Karen McManamon, all in favor.

Respectfully submitted:  
Lisa Deering, Health Department Clerk

Approval Date: 9-12-13