

BOARD OF HEALTH MINUTES


Meeting Held at the Houghton Building on **September 25th, 2018** at 6:00 PM

Members Present: Christopher Slade, Chair, Christopher Rogers, Member

Also Present: Bill Brookings, Health Agent, Nashoba Associated Boards of Health and Jenny Jacobsen, Health and Permitting Assistant

Not Present: Scott Powell, Clerk

Call to order: **6:07 pm**



Minutes reviewed for :

- **C. Slade moved to approve the minutes of September 11, 2018 , C. Rogers 2nd. Motion passes 2 /0.**
- **C. Slade moved to approve the minutes of September 14, 2018 , C. Rogers 2nd. Motion passes 2 /0.**

6:00 pm Tobacco Regulations Public Hearing:

C. Slade called the meeting to order at 6:07.

Three letters were received in favor of the changes from:

UMASS Medical School

Susan and Kevin Obrien

Free Mass

C. Slade turned the meeting over to Joan Hamlet, the Bolton Tobacco Control Agent.

J. Hamlet hand delivered copies of the regulation to the vendors.

DJ Wilson, the attorney, was present and reviewed the regulations.

No one in the audience was interested in taking copies.

The two biggest changes are raising the age to 21 and restriction candy fruit and soda flavors.

Questions came up questioning if the state already raised the age. They did, but it is 2021 when the age would fully go into effect.

182 communities in MA that have raised the age to 21. No negative feedback of the changes from vendors.

C. Slade opened to public comment.

C. Rogers made a motion to accept the changes as proposed. Amended today on September 25th and to be implemented on December 1st. C. Slade 2nd. Motion passed. 2/0

Joan will get a clean copy for the Board to sign.

C. Slade closed the hearing at 6:14pm

Appointments:

6:15 pm—Wendy Harrop appeared before the Board to discuss her new use at **3 Harvard Road**. There is to be no food preparation on site. Any portable toilets required must be maintained by a licensed hauler. Board had no issues with the use as written in her proposed use submitted to the Board.

The Board heard from Tony Jagodnik, in attendance, regarding two **geothermal well permits** for review. He was not able to get them to the Board on time, but one of them located at 6 Corn Rd is time sensitive as the home has no other form of heat. The Board had no issues.

- **144 Nourse Road-** Will come in through the regular channel.
- **6 Corn Road-** Mr. Jagodnik gave plan to B. Brookings. B. Brookings will pull the file. Mr. Jagodnik asked for clarification. B. Brookings to get a well completion report and a diagram.

6:30 pm—F. Coon, A. Benetson, and P. Givens appeared before the Board regarding Century Mill Estates PWS.

A. Benetson is looking for a private well on **Lot #26, 25 Old Stone Circle** owned by Peter Givens. A. Benetson is working on the paperwork for the PWS but the paperwork is very expensive to produce. It didn't make financial sense with only a handful of houses there.

The information becomes part of the file for the public utility.

What they are proposing is a well on the lot. Once the paperwork goes through the property will be tied into the PWS.

C. Rogers asked where it stands with DEP.

A. Benetson engaged an attorney. He had to give a 30K retainer. He also needed to engage a consultant from a company called Retellers.

Fred and Andy met with the attorney and the consultant. They have another meeting scheduled for next week. Within 60 days he would expect the paperwork to go in.

P. Givens addressed the Board. He owns the property with a partner. They have their entire life savings in this lot and are concerned. The loan comes up in 8 months.

C. Rogers reported that the Board received information that irrigation wells were tied into the PWS which is in direct violation.

The Board referred to the inquired about the Homeowner's Association Document which clearly states that the lots cannot have a private well.

A. Benetson reported that he is the sole trustee of the homeowner's association and can therefore allow for a well on the lot. He urged the Board to allow the well as it is only hurting these two young homeowners.

B. Brookings made a point that situation is hurting all of the homeowners.

C. Rogers asked if they were given a schedule. He is not willing to budge on this until we have something more definitive.

A. Benetson asked what basis this Board has to deny a well.

C. Slade urged him to make peace with Susan Connors and asked for a breakdown of what lot the well is on and what house it serves.

J. Jacobsen will send a copy of the letter via email.

P. Givens reported that when he spoke to S. Connors and she suggested to put a potable well on the lot.

C. Rogers said he needs something more substantive.

A. Benetson offered to bring consultant and the lawyer to the next meeting. C. Slade said it would be put to better use if they met with Susan Connors.

Action/Discussion:

- **725 Main Street-** New Hearing Scheduled

Hearing set for October 9th at 6:00 pm at the Houghton Building, 697 Main Street.

- **138 Still River Road-**

- Well head is outside the house. They are looking to have the well head be located in a crawls space.
- He spoke to Bob Culley. In 2014 we discussed this. At that time they were going to keep the well in a crawls space. 2 foot by 3 foot access and 3 feet above the well head.

B. Brookings signed the building permit application.

Building Permits Reviewed:

- **70 Nourse Road**
- **138 Still River Road- needs more information.**
 - **J. Jacobsen will contact the applicant.**
- **55 Danforth Lane-basement remodel**
 - Needs deed restriction
 - J. Jacobsen will contact the applicant.
- **17 Randall Road-kitchen remodel**
 - B. Brookings signed.
- **296 Long Hill Road- deck**
 - B. Brookings signed.
- **99 Still River Road**
 - B. Brookings to check the file.
 - Moved to next meeting.

Septic Permits Reviewed:

- **Old Bay Road-**
 - Moved to next meeting
- **40 B Old Stone Circle-**
 - Moved to next meeting
- **41 B Old Stone Circle**
 - Moved to next meeting
- **31 Pinewood Road-**
 - Jack Maloney appeared before the Board with a plan to upgrade a failed septic.
 - Partial remove and replace with a septic system to today's code.
 - Looking for an offset
 - **C. Slade moved to grant the variances as requested. C. Rogers 2nd. 2/0**
 - The owners were in attendance and signed the permit applications.
- **92 Oak Trail, Lot 11A - Transfer permit**
 - Board signed.
- **126 Oak Trail, Lot 17A- Transfer permit**
 - Board signed.
- **Nourse Road, Lot 4 A –**
 - Moved to next meeting.
- **Moderator Way –shared septic**
 - Board reviewed.
 - Lot 13 has variance well less than 50 feet to property line.

C. Slade made a motion to approve the plan with proposed well variance on to property line on lot 13C. Rogers. 2/0.

- **201 South Bolton road- D. Box Replacement**
 - Title 5
 - Board signed.
- **179 Annie Moore Road-D. Box and Tank Leak Repair**
 - Board signed.
- **374 Old Harvard Road-D. Box**
 - Board signed.
- **Moderator Way Lot 17**
 - Moved to next meeting.

Inspections reviewed:

- **455 Main Street**
 - Board accepted.
- **201 South Bolton Road**
 - Board accepted.

C. Slade moved to adjourn the Board of Health meeting at 7:27 pm, C. Rogers. 2nd. Motion passes 2/0.

