

BOARD OF HEALTH

AGENDA

Tuesday December 14, 2021 6:00 p.m.

Zoom Meeting

6:00pm

WORKING SESSION

Minutes approval, Mail Review
Building Permit Applications
Inspection Reports

12/14/21 minutes approved via Zoom at the January 11, 2022 meeting

C.Rogers makes motion to open meeting at 6:04pm, C.Slade, 2nd. Motion passes 3/0

APPOINTMENTS:

- Jim Starbard from RCAP Solutions – Private well testing program results
 - Exact locations are not given to the board as they stated at the beginning of the program. If further information is needed, the Board can reach out to Jim.
 - 40 tests in Bolton, met with home owners after Nashoba analytical results came in, even if nothing was found, recommendations were given.
 - Of the 40 tests - 10% with something over a health basis (from DEP standards), no E-coli.
 - Secondary standards are also reviewed and discussed, what the probable causes may have been.
 - C.Rogers - The Board cannot ask for specific locations, only general areas. How did they find the participants reactions to the tests that showed some problems?
 - J.Starbard - Homeowners were open to making changes to fix the problem. They walked through with the next steps and additional guidance to self correct or seek a professional if they were not comfortable or the problem needed more attention. Anything that showed arsenic, a mailing was sent to the home owner on the next steps.
 - C.Rogers - Is this going to continue in the future?
 - J.Starbard - Next year will not be in the same communities, they are moving around. Some changes could come from the State level. They are looking for state legislation to write a state standard for well testing.
 - S.Powell - There is a draft regulation at the local level to modify current regulation on well testing when there is a real estate transaction taking place.
 - J.Starbard - has some contacts at the State level that may be able to assist in writing the information. Will be following up with the survey to the Board on the follow up and return to RCAP.
 - S.Powell - Will share the draft of regulations to see how it looks against the State proposal.
 - C.Rogers - Would be nice to have a clear check list on well testing like there is for Title5 on septic systems.
- Jonathan Mechlin – Lot 2A, Old Bay Road – Well permit
 - Old Bay road - valid plan approved, plan has expired, now client is interested in lot. He has tested in a better location in the meadow and resubmitted a plan. Features shown on plan. No changes to lot lines since 1st plan, nice soil data on lot. With winter approaching, would Board issue well permit to begin work, so a gravel drive doesn't need to be created. This is a low risk proposal, well is about 150 from feet from septic. Not close to neighboring systems and well.
 - Plan shown also shows neighboring systems.
 - C.Rogers - Does not see an issue as there are no variances needed.
 - C.Slade – Does not see a problem.
 - B.Brookings - permit was approved, ran its course, additional testing done. Issued at owners risk at this time.
 - J.Mechlin - Agrees to risk and understands risk.
 - C.Rpgers - Plan submitted to NABH?
 - J.Mechlin – Informs the Board the plans has been submitted.
 - B.Brookings - Plans rec'd on 12/8, new application and fee may be needed and will reach out to J.Mechlin as it has expired.
 - Board approves the plan and the opener to drill the well at risk.

ACTION/DISCUSSION:

RECURRING TOPICS:

- Coronavirus
 - 11 new cases last week, 88% of town fully vaccinated
 - Person wrote into DPH and stated that there was a covid exposure from someone who returned to work with covid. CR spoke with the DPH who sent the email and there is not much to go on, KZina to draft a letter. NABH suggests the same to remind the establishment of the standard practices for covid.
- Proposed Well Testing Regulation
 - Scott Powell's plan is shared as C.Rogers and B.Brookings were not in attendance at the last meeting.
 - Whole concept is to require well testing when properties change hands. The new proposal would be the responsibility of the owner.
 - C.Rogers - How do you protect the sample from being mishandled? Any accountability for who takes the collections?
 - B.Brookings - Existing well testing, in a Title 5 inspection there are instances where testing is done by a real estate agent or home owner. They need to provide the results in the report.
 - C.Slade - The person performing the Title 5 should be the one to take the sample.
 - S.Powell - We can set these now, or wait to see what the State proposes.
 - C.Slade - May be a good idea to wait so the Board does not need to rewrite the regs after the State changes them. KZina to follow up with RCAP on what they know of the proposed legislation. KZina to change Scott's document to reflect the 2 years validation.
 - B.Brookings - There are some guidelines on the DEP site that address sampling.
 - C.Slade - Suggests the well testing be valid for 2 years to line up with current title 5 regulations. Should something be added to specify well testing for shared systems?
 - C.Rogers - Feels a new test should be performed. Then the data is clean and easy to access.
 - C.Slade - Would rental properties need to test when new renters come in or stay on the 2 year cycle.
 - C.Rogers - The turnover on rental properties in Bolton may not be that high as other towns.
 - S.Powell - Section 4.6 is really saying that the test must be available to the tenant, the 2 years should apply. A new tenant would need to have a water test shown to them taken within the last 2 years.
 - C.Rogers - Is there an overall recommendation on how often wells should be tested?
 - S.Powell - Seems 1 year may be the new standard. Will also look back on reworking the section on rental properties.
 - No decisions on regulations during the meeting, topic will be further discussed.

NEW TOPICS:

- Tobacco Licenses – Update
 - Licenses are completed and ready for the Board to sign.
- 220 Long Hill Road
 - Assessors property card shows a 2bdrm. Home purchased in early 80's.
 - C.Slade - Wants to see an upgraded system for 3bdrm and built to current standards. If that happens, then the Board is ok accepting it as a 3bdrm design.
 - B.Brookings - "fully compliant"? No variances or local upgrades, or just an upgrade. Very shallow lot, some testing has been done. Local upgrade approval requests have come to the board in the past.
 - C.Rogers - The question is between 2-3 bedroom? 2 bedroom has been approved (BB - nothing submitted). Home was purchased as a 3bdrm, the listing may have been incorrect.
 - S.Powell - There were T5 requirements.
 - B.Brookings - Home purchased in 1986 before T5 regs were in existence. Would have shown 1 bedroom design, 3 bedroom design
 - S.Powell - Some reg's existed and should have been addressed at the time. If they go to 2 or 3 bedroom, it needs to comply with Title 5
 - B.Brookings - The Board in October 2021, decided to allow a 2bdrm upgrade, if he went to 3 owner would need to fully comply.
 - C.Slade - A house that size should have a 3bdrm system installed.
 - C.Rogers - What happens from a 2 to 3 bdrm upgrade? Full compliance would not happen, the lot is shallow.
 - S.Powell - Full compliance - material required for the compliance

- B.Brookings - The lot does not allow for it, negative test holes present. The engineers plan may show a 3bdrm upgrade may not even be allowed to proceed with that design.
- C.Rogers - Challenge to the board tonight - how many bedrooms as there are conflicting documents.
- If the board agrees that a 3bdrm system is required. The engineer needs to prove that system can be supported.
- Discussions is moved to next meeting
- Bolton Woods Way
 - C.Rogers has spoken with the owner. Hoping to have an additional update next meeting as a 12/22/21 deadline is forthcoming. Owner to update on progress for funding.
- 727 Main Street
 - Letter sent and Robin has replied.
 - C.Rogers - Send letter to Robin a new letter and what steps will need to be taken once she takes ownership of the home.
 - Add to next agenda. If nothing heard by that time, Board should take further action
 - Kzina to email Robin
- Skating Pond
 - Are there are concerns with the Board on the skating pond in use again this winter?
 - C.Rogers – No objection, Board agrees as well
- DEP PWS List
 - The list may have been what was tested for PFAS
 - C.Rogers – in talking to Andrea Briggs, she indicated that operators of PWS are already testing for PFAS. How does the board create a comprehensive list?
 - B.Brookings - The State sends a survey for PWS to be updated.
 - C.Rogers - Has responded to Andrea Briggs asking of that is the full list.

BILLS PAID:

- NABH – Nursing Services - \$1,663.58, paid on 12/7/21
- NABH – Environmental Services - \$3,345.40, paid on 12/7/21

BUILDING PERMITS:

- 131 Sugar Road - Remodel (B.Brookings approved 11/23/21)
- 715 Main Street – Tent (B.Brookings approved 11/30/21)
- 125 Moderator Way – Single Car garage and finished basement (in-law) (B.Brookings approved 11/30/21)
- 11 Goose Pond Path – Occupancy (B.Brookings approved 11/30/21)
- 22 W Berlin Road - Tent (B.Brookings approved 11/30/21)
- 127 Nashaway Road – Expand garage and add bedroom (B.Brookings approved 12/1/21)
- 11 Pondsides Lane – Bathroom remodel (B.Brookings approved 12/1/21)
- 42 Meadow Road – Remodel Kitchen (B.Brookings approved 12/1/21)
- 186 Long Hill Road – Barn (B.Brookings approved 12/1/21)
- 38 Danforth Lane – Alterations (B.Brookings approved 12/1/21)
- 25 Pinewood Road – Addition (B.Brookings approved 12/1/21)
- 155 Long Hill Road – Basement renovation (B.Brookings approved 12/1/21)
- 38 Long Hill Road – New Construction (B.Brookings approved 12/1/21)

SEPTIC PERMITS:

- Still River Road – New Lot
 - Original permit expired. Board approves submitted design plan, which is the same as the original plan from 2016
- 40 Laurel Road – Dbox
 - 3 bdrm design, 4 bdrm actual. Send letter for deed restriction or upgrade
- Lot 4, 100 Meadow Road – Transfer
 - Change in ownership
- 67 Berlin Road – Upgrade
 - 2 wells within 100 feet of this system. Abutters will need to be notified of the hearing when it takes place.
- 12 Wattaquodock Hill Road – Upgrade
 - There is a serious failure, permit approved years ago but has expired and no action was taken at that time. Plan not submitted for Board review, but B.Brookings has seen the plan and explains the upgrade to the Board.

- Board approves
- 17 Frye Road – Upgrade
 - Upgrade, Plan shown, replacement of an existing fail. Board approves.
- 21 Harris Farm Road
 - Proposal to tie an existing garage to the existing system. Applying for a building permit for the finished space in the garage. Room count being worked on.
 - Board approves.
- 59 Sampson Road
 - updated plan shown and reviewed. 2nd tank added, home and detached unit slowing into 1st tank, then to the 2nd.
 - Board approves.

INSPECTION REPORTS:

- 576 Sugar Road
 - Pass
- 5 Manor Road
 - Pass
- 137 Nashaway Road
 - Pass
- Craftsman's Village – Lot 1 & 5
 - Pass
- Houghton Farm Lane (#14, 20, 22, 25, 28)
 - Pass
- 58 Whitcomb Road
 - Pass
- 93 Spectacle Hill Road –
 - Conditional pass, needs a tank
- 40 Laurel Road –
 - Dbox, send letter
- 15 Teele Road
 - Pass
- 45 Kettle Hole Road –
 - water filter, discharge point unknown
- 811 Main Street
 - Pass
- 186 Kettle Hole Road –
 - water filter, discharge point unknown
- 326 Still River Road
 - Pass
- 30 Wheeler Road
 - Pass
- 6 Merrinot Road
 - Pass
- 713 Main Street –
 - Design flow is incorrect on sheet, Inspector needs to update

S.Powell makes motion to approve minutes from 10/26/21 and 11/9/21 as written, C.Rogers 2nd, motion passes 3/0

C.Rogers makes motion to adjourn meeting at 8:11pm, C.Slade, 2nd. Motion passes 3/0

****Agendas are subject to change –
the order and exact times of these items may vary
(except public hearings which cannot begin prior to the time listed)****