

**Board of Health  
Meeting Minutes  
October 9, 2008**

7:08 PM Meeting	The meeting was called to order at 7:08 PM. Present were Steve Damiano, William Farr, Stanley Selkow, and David Favreau
7:08 PM Business	<p>Mr. Selkow informed the Board that he will be gone during January and February of 2009.</p> <p>Mr. Favreau informed the Board that a box of BOH files from 2002-2005 which had been stored in a trailer behind the Town Hall were severely damaged by a rain leak. Mr. Damiano suggested that the records could be (at least partially) reconstructed by going through the log book and contacting engineering firms to obtain plans from that time period.</p> <p>Mr. Favreau informed the Board of plans to work with the Building Department and the Council on Aging to notify seniors of the state fuel assistance program.</p> <p>Mr. Favreau announced that the new phone system has been installed at the Town Hall. The main number for the Town Hall is 978-422-8111 and BOH extensions are 2306 for David Favreau and 2305 for Kathie Nickerson.</p> <p>Mr. Favreau reported on a second odor complaint at the Wind River Environmental site on Chocksett Rd. The complaint concerned one of the tank trucks used for grease collection. An e-mail from WRE CEO John O'Connell said that the problem was due to rainwater accumulation on top of the truck. Mr. Favreau said he is monitoring the situation and reported that the containment area has not been built. Mr. Selkow asked Mr. Favreau to obtain the police report of the incident and the details of the agreement with WRE for further discussion.</p> <p>A request to extend the construction permit for lots 1, 2, and 3 on Trebor Ln. for one year was approved. A request to extend the construction permit for 71 North Row Rd. for one year was approved.</p> <p>Mr. Favreau reported the results of soil testing at 51 Old Princeton Rd. At the 8/7/08 BOH meeting, soil testing was ordered by the Board to determine if the White Knight Innoculator/Generator system was likely to be successful in repairing the system on this property. According to the DEP Approval for Remedial Use for this system, an offset of 2' from seasonal high groundwater and the bottom of the SAS system is required. Soil testing found mottling at 33 inches. Thus the White Knight system is not appropriate and a different repair plan will be necessary.</p> <p>Mr. Favreau announced that he would be manning an information table at the public safety open house to be held on Saturday, October 11 from 10 AM to 2 PM and invited Board members to stop by.</p>

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	<p>Mr. Favreau reported that Mr. Terry Heinold had not been able to obtain plans for a proposed installation at 182 Newell Hill Rd. The plans are not in the BOH files and the soil testing record says it was witnessed by a BOH member but does not include a name. Mr. Favreau reported that a search of BOH record, including the log book had not produced any confirmation that the testing was witnessed by the Board or that an extension for the test results was ever requested. The Board concurred with Mr. Favreau that new testing will have to be conducted.</p> <p>Mr. Favreau reported on a possible rabies incident on September 26, 2008 at 9 Coles Rd. A man was apparently bit by an animal and had to undergo a series of shots because the animal could not be captured for testing. Mr. Favreau also reported that Sterling Veterinary Clinic had agreed to a flat fee of \$80 to euthanize a wild animal, send the brain to the state testing lab, and dispose of the animal's body. Mr. Favreau will inform Mr. Lou Massa of the arrangement.</p>
<p>8:00 PM 187 Newell Hill Rd. Gary Griffin Final Variance Hearing</p>	<p>Mr. Gary Griffin appeared before the Board with plans to install a septic system on this property. This is the first installation of a septic system on this property. Abutter cards were collected. Abutters Mr. Donald Mitchell, Ms. Lois Mitchell, Mr. John Mitchell, and Mr. Donald Mitchell, Jr. were present.</p> <p>Mr. Griffin described his plans for the septic system. The plans call for installation of Infiltrator Systems Quick4 infiltrators. This is a system constructed in fill. The plans call for a variance from the Sterling by-law requiring a minimum of 1000 square feet of leach bed area. The system is a 3 bedroom design and is in compliance with Title 5. The actual leach bed area is 636.5 square feet.</p> <p>Mr. Damiano explained to the abutters that the Sterling by-law was written before the advent of newer technology and that variances were commonly granted for plans incorporating such technology. Mr. Mitchell, Sr., then explained that his house was on a lot across the street but that he had owned a lot next to 187 Newell Hill Rd. for a long time as a possible septic system location or water well location in the case of failure of his existing system or water well. His concern is that the system being planned at 187 Newell Rd. not interfere with his right to build a system or install a well on the lot adjacent to 187 Newell Hill Rd. He presented the Board with a letter from Mr. John Farnsworth which suggested several changes to the plan which would, in Mr. Farnsworth's opinion, maximize Mr. Mitchell's future use of the adjacent lot while still allowing the system to be constructed at 187 Newell Hill Rd. There seemed to be some disagreement among the Mitchells on whether the lot would be needed for a water well with Mr. Mitchell, Sr. saying no and the other members of the family wanting to keep both options open.</p>

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	<p>After some discussion, the Board agreed that the proposed septic system at 187 Newell Hill Rd. would be extremely unlikely to interfere with the installation of a septic system on the adjacent lot. The question of whether or not a well could be installed on the property is less clear, but seems possible. The Board did agree that one of the options suggested in Mr. Farnsworth's letter would have no effect on future considerations because the well offset applies to both primary and reserve areas.</p> <p>One of the options suggested by Mr. Farnsworth's letter was to shift the location of the SAS and reserve area 25 feet further from the property line. Mr. Griffin argued that this would be very difficult to do and an additional 25 feet was not necessary as there was a corner of the adjacent lot outside of the 100' offset.</p> <p>The Board suggested that the hearing be continued until October 23 to provide time for further study by the Board and so the Mitchells could seek legal advice. Plans for Board members to visit the site were discussed and Mr. Favreau promised to check with Mr. Vignaly of the DCR concerning the wetlands on the property. Mr. Griffin reluctantly agreed to continuing. Mr. Damiano explained to the Mitchells that the Board also grants well permits, so that should the situation of a water well on the adjacent property arise, they would be dealing with an entity that was aware of the past history.</p>
8:46 PM DCR Jillian Pereira	<p>Ms. Jillian Pereira of the DCR appeared before the Board to request a permit to trap beavers. She explained that a beaver dam downstream of the Muddy Pond Rd. bridge was interfering with a DCR water flow gauge. Mr. Damiano explained that the Board grants beaver trapping permits only if there are health and safety issues. Ms. Pereira and the Board could not identify any such issues in the present case. He asked Ms. Pereira to consult with her superiors at the DCR and see if they could identify any such issues, in which case the Board would consider the application again.</p>
9:00 PM Business	<p>The Board discussed a request for a local upgrade approval for a septic system to be constructed at 185 Clinton Rd. An appointment had been made for 8:45 PM, but the engineer didn't show. Preliminary plans for the site seemed incomplete to the Board and they were unanimous in not considering the site without a complete plan presented by the engineer at a Board meeting.</p> <p>The Board briefly discussed an article for the special town meeting that will ask for additional funds to pay Mr. Favreau 40 hours per week for the rest of the fiscal year. The Health Agent position is a full-time, exempt position but has not been funded at a full time level. Mr. Favreau is working more than 40 hours per week and would like to be paid for 40 hours.</p>

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	The Board briefly discussed plans for a site walk at 187 Newell Hill Rd. Mr. Selkow, Mr. Damiano, and Mr. Favreau agreed to meet at 9:30 AM on October 11 at the Sterling fire station.
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The meeting was adjourned at 9:20 PM.

Respectfully submitted

William Farr  
Clerk