

September 12, 2019
Sterling Board of Health Meeting
Butterick Building, Lower Level Conference Room
1 Park Street, Sterling, MA 01564

Meeting Minutes

5:34 PM The meeting was called to order by Vice-Chairman Gary Menin.

Roll Call: Donna Clark, Chair – absent
 Gary Menin, Vice-Chair – present
 Allen Hoffman, Member – present
 David Favreau, Health Agent – present
 Elaine Heller, Admin. Asst. – present

Attendees: Rosanne Mapp, Blaine Bershad, Cathie Ryan, Linda Jarzinski, Matt
 Scannell, Jack Maloney, David Duarte, Jonathan Walter, Brandy Walter

Sterling-Lancaster Community Television and Gary Menin recorded the proceedings of the meeting.

General Business Updates:

Approve Any Available Minutes:

Approval of the meeting minutes for June 13 and July 11, 2019, was deferred until the next meeting.

Correspondence:

Health Agent Report:

- The Flu Clinic is scheduled for October 1, 2019, at the Senior Center on Boutelle Road and at the Sterling Fire Station for Emergency Personnel.
- 32 Bean Road complaint - The Board has received a complaint regarding an inground pool at the residence. A fence around the pool is broken, making the area unsafe. The Sterling Building Inspector has been addressing the problem, with no resolution to date with fines imposed through the Building Department.
- Based on the direct observations recounted by Agent Favreau - Gary Menin considered the situation to be an imminent danger to residential safety – e.g. should a neighborhood child wander into the pool – and that the BOH should urge the Town (e.g. BOS, Select Board, Town Manager or other) to take action to secure the area as soon as possible. Mr. Hoffman noted that the issue of the fences around swimming pools is clearly in the province of the Building Inspector. Since the Building Inspector continues to seek enforcement, no further action by the Board of Health is needed. He declined to support Mr. Menin's recommendation. Blaine Bershad, an attendee, suggested other Sterling residents may have extra fencing for the homeowners, to help with this situation. Health Agent Favreau will reach out to the owner and see if they will accept fencing provided by other residents.

- 15 Redstone Hill Road Complaint - this is a debris complaint. Both Mr. Favreau and Mr. Hoffman visited the property which has a collection area of assorted items. It is a nuisance but not a danger. At this time, no one is living at the home as the owner is deceased. Mr. Hoffman made a motion that the Board of Health send a letter to whomever is the responsible party and Mr. Menin seconded the motion. Unanimous vote.

Appointments and Agenda Items:

Variance Request - 19 School Street - Sterling Local Reg. IV.a., 1000 sq. ft. Leach field required: (450 sq. ft. Using Presby meets Title 5) & 15.405(1)(h): Reduction of the required 5-foot separation between the bottom of the leach field and the estimated seasonal high groundwater table (3-foot separation between the bottom of the leach area and the estimated seasonal high groundwater table is proposed).

Engineer Jack Maloney of Ducharme and Dillis presented plans for this septic design, which were reviewed by Board members. After discussion, a motion to approve the variance, as written, was made by Gary Menin and seconded by Allen Hoffman. Unanimous vote.

Variance Request - 1 Belmont Street - Sterling Local Reg. IV.a., 1000 sq. ft. Leach field required: (416 sq. ft. using Presby meets Title 5) & 15.405(1)(h): Reduction of the required 4-foot separation between the bottom of the leach area and the estimated seasonal high groundwater table (3-foot separation between the bottom of the leach area and the estimated seasonal high groundwater table is proposed).

Jack Maloney represented the homeowner, Linda Jarzinski. After discussion by Board members, Gary Menin made a motion to approve the variance and Allen Hoffman seconded the motion. Motion carried.

Permit Extension Request - 56 Kendall Hill Road - Property owners are requesting a 1-year extension to the permit for this property, which is a vacant lot at this time. The original permit was for 3 years, with a 1-year extension, if requested. After review by Board members, Gary Menin made a motion to grant the extension and Allen Hoffman seconded the motion. Unanimous vote.

Discuss EEE Activity and Risk Levels - According to Health Agent Favreau, the Board of Health is monitoring EEE activity through DPH (Department of Public Health). The Board issued an advisory notice in the Meetinghouse News and on the town website. At this time, Sterling is in a moderate risk region. Sterling does not belong to the Central Mass Mosquito Control District, so no sampling is being done here. At the annual town meeting in 2013, residents voted down membership in the Mosquito Control District.

Aerial spraying is being done by DPH, in areas in the Control District. It was noted the types of sprays have changed since 2013, as they break down sooner, under sunlight, etc.

Allen Hoffman made a motion that the town of Sterling strongly suggests outdoor activities be minimal and that the Board attach 2 newspaper articles and a DPH notice regarding this situation on the website and local media, including the Landmark, Clinton Item, and Facebook. Gary Menin seconded the motion. Unanimous vote.

Discuss Proposed Septic System Design for 3 Fox Run Road - A design has been submitted, but no plan review fee or permit fee has been paid. A full review of the design has not occurred. Town Counsel suggests moving forward with a settlement on this issue. Health Agent Favreau suggested the Board schedule an executive session meeting for September 24, 2019 for purpose of litigation strategy. Mr. Menin will advise if he can attend on that date.

Further Discussion: DEP Proposed Floor Drain Regulations - In order to approve the regulations, a notice must be posted in the local newspaper for 2 consecutive weeks before a public hearing. Mr. Favreau suggested Board members review member comments before the October meeting and forward their comments to him.

Discuss Proposed Clothing Bin Regulations - Draft regulations were prepared and submitted by Gary Menin. After discussion, members agreed fines regarding these regulations should be set by the Board of Selectmen. Allen Hoffman made a motion that the Board endorse the regulations as prepared, and Gary Menin seconded the motion. Unanimous vote. Mr. Menin will forward a letter to this effect to the Board of Selectmen, noting the proposed regulations are similar to those used in West Boylston.

Discuss Draft Vegetative Management Plan - According to Blaine Bershad, a VMP Committee member who worked on the draft, the goal of the committee was to meet requirements of the law. According to Mr. Bershad, the DPW would need maps tied into the plan, as to where and where not to spray. At this time, the DPW does not plan on spraying. He suggested the town have a 5-year plan in place, with maps, as part of a Yearly Operating Plan on record with the state. This YOP could possibly give Sterling access to funding. He noted the Board of Health needs to agree with the "concept" of a Vegetative Management Plan. Mr. Bershad suggested Board members submit comments on the Plan to Committee members.

Review of Future Agenda Items and Meeting Date - The Floor Drain Regulations will have a final review at the next meeting, which is scheduled for October 10, 2019, at 5:30 PM.

Adjourn:

A motion to adjourn the meeting was made by Gary Menin and seconded by Allen Hoffman. Members in favor and the meeting adjourned at 7:39 PM.