

March 10, 2022
Sterling Board of Health Meeting
Butterick Building, Lower Level Conference Room
1 Park Street, Sterling, MA 01564

Meeting Minutes

6:00 PM Chairman Allen Hoffman called the meeting to order.

Roll Call: Allen Hoffman, Chairman – present
Anne Marie Catalano, Member – present
Cathie Martin, Member – present
David Favreau, Health Agent – present
Elaine Heller, Administrative Assistant – present

Attendees: Brian Milisci, Gloria Rugg, Terry Heinold, Doug Downey, Phil Campbell,
Jack Maloney, Chris Knuth, and Richard Higgins (via Zoom)

General Business Updates:

Approve Any Available Minutes: February 10, 2022:

After review, a motion to approve revised minutes of the February 10, 2022 meeting was made by Martin and seconded by Catalano. Roll call vote: Martin - aye; Catalano - aye; Hoffman - aye. Unanimous vote.

Update from FinCom Meeting 3/05/22:

David Favreau and Allen Hoffman attended the FinCom Budget Hearing on March 5, 2022 and provided information on the FY23 Board of Health and Animal Inspector budgets.

218 Upper North Row Road Accessory Dwelling Unit, letter provided:

The property owners have applied for a building construction permit for a one-bedroom accessory dwelling unit (ADU) at this address. During 2013 the dwelling was constructed as a 4-bedroom single family home. In 2012 the approved soil absorption system design was approved and installed as a five bedroom system. After review of the files and confirmation of as-built for a five bedroom system, a formal letter was sent to the Building Dept. and ZBA indicating that adequate septic capacity and potable water is provided to support the ADU.

Unapproved / Illegal use of License: Health Agent Favreau presented an email from Michael Burke, PE in regard to an unauthorized individual or organization using his name / PE stamp on forms or plans submitted to the BOH. Mr. Burke noted any submittal in his name would be false. Mr. Favreau has contacted Mr. Burke on this matter.

Annual Conflict of Interest Law for Municipal Employees:

Board of Health members, the Health Agent and Administrative Assistant signed the form indicating they had taken the conflict of interest course as presented by the state of MA.

Perc Rite Drip System Failure:

The Perc Rite system is one allowed by the state of Massachusetts and there are approximately 6 systems in Sterling. The homeowner at 1 Magnolia Way submitted a letter to the manufacturer, installer and Board of Health regarding a system failure, namely frozen pipes. The system was installed in 2019 and pipes have frozen on 3 occasions.

Health Agent Favreau spoke with a maintenance company individual who indicated several systems have frozen up in various areas within the state.

10 Merrill Road Failed Title 5 Inspection Report:

A Title 5 Inspection at this property revealed the system has failed and that additional soil testing has been scheduled to replace the failing system. The Health Agent reported as information only.

Signatures Required: Done

DPH - Interagency Updates:

Cathie Martin provided updates from interagency meetings, noting new treatment and prevention options for COVID-positive patients, and removal of the mask mandate in the state. There are new variants of the virus, BA.2 and BA 1.1.

Ms. Martin also noted mosquito season is around the corner.

Appointments and Agenda Items:

Sterling Fair Committee: Discuss 2022 Fair:

According to Fair Committee Chairman Doug Downey, the Sterling Fair will definitely be held in September 2022. Committee members attended the BOH meeting, looking for guidelines in regard to COVID.

According to Ms. Martin, with so many people vaccinated, masks may possibly be the only requirement. At the request of Mr. Downey, Ms. Martin will check with MEMA to see if they will provide masks to have available at the fair.

Fair Committee members will attend a BOH meeting in May or June to catch up on any changes with the virus which may affect plans for the fair. Mr. Heinold stated the committee would need an answer by August 1 if the fair has to be cancelled. Ms. Martin noted there is no longer a state of emergency, so the fair would not be cancelled unless a future state of emergency is implemented.

100 Leominster Road: Review Necessities for Land Use of Nitrogen Credits:

Brian Milisci of Whitman and Bingham represented the property owner, Chacharone Properties, LLC, regarding the nitrogen reduction system. Property has been purchased by Chacharone Properties at 79 Pratts Junction Road as land use credit. Mr. Milisci would like an easement plan put on record for Mr. Chacharone. He provided an information sheet with usage at the facility. He will develop a chart showing GPD and Mr. Favreau suggested he provide the chart before the next Board meeting so a vote can be taken.

36 Clinton Road Variance Request:

Sterling Subsurface Sewage Disposal Regulations: Reg. IV.a., Leach beds to be 1000 square feet minimum, with 12" of stone beneath the pipes (626 sq. ft. of Presby type system provided with no stone beneath pipes).

Local Upgrade Request: 310 CMR 15.401 (1)(g), Reduction in the offset from the SAS to: Subsurface Drain: 100' required, 67' proposed.

Engineer Chris Knuth of Geo Services represented the homeowner. The variance request is for a Presby System. Mr. Favreau has no concerns. After review of the plans, a motion to approve was made by Martin and seconded by Catalano. No discussion. Roll call vote: Martin - aye; Catalano - aye; Hoffman - aye. Motion carried.

7 Princeton Road Variance Request:

Sterling Subsurface Sewage Disposal Regulations: Reg. IV.a., Leach beds to be 1000 square feet minimum, with 12" of stone beneath the pipes (1092 sq. ft. of Presby type system provided with no stone beneath pipes).

Local Upgrade Request: 310 CMR 15.401 (1)(h), Required 4-foot separation from the E.S.H.W.T. to bottom of the Proposed S.A.S. (Provided - 3').

15.405(1)(i): A sieve analysis may be performed if a perc test cannot. (Provided - sieve analysis report attached).

Engineer Jack Maloney of Dillis and Roy represented the homeowner on this variance request. The plan is to replace a 1000-gallon tank with a 1500-gallon Presby system. There are 2 septic systems on the property, which failed due to groundwater. There was no permit obtained for one of the systems. In a review of the plans, Mr. Hoffman suggested the engineer provide a plan that shows where everything is located, the entire lot, and a judgment cannot be made without looking at one plan with everything on it. Mr. Maloney will revise the plan and attend the next BOH meeting.

License Regarding Collection Bins and Associated Fees: Discuss draft letter:

Members noted all fees need to be reviewed and a public hearing will have to be scheduled after fees are established. It was suggested local regulations need to be reviewed as well and Mr. Favreau will email draft local regulations and a fee schedule to Board members. A date to review the items will be determined.

Next Meeting Date: The next Board meeting will be held on April 7, 2022, at 6:00 PM in the Lower Level Conference Room of the Butterick Building.

Adjourn:

A motion to adjourn was made by Martin and seconded by Catalano. Roll call vote: Martin - aye; Catalano - aye; Hoffman - aye. All in favor and the meeting adjourned at 7:44 PM.

Materials: Minutes; Perc Rite information; Burke email; 100 Leominster Rd. usage table