

July 21, 2016
Sterling Board of Health Meeting
Butterick Building, Room 205
1 Park Street, Sterling, MA. 01564

Meeting Minutes

6:32 PM Chairman Donna Clark called the meeting to order.

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

Attendee: Chris Knuth

Gary Menin noted he was recording the proceedings as an individual and that they would be available on the cloud for those who are interested.

Approve Available Minutes:

A motion to approve minutes of the site-visit meeting on June 16, 2016, at 99 Flanagan Hill Road, with additional comments, was made by Allen Hoffman and seconded by Gary Menin. All were in favor; the motion carried.

A motion to approve minutes, with additional comments, of the June 16, 2016 Board of Health meeting was made by Allen Hoffman and seconded by Gary Menin. All members were in favor and the motion carried.

Correspondence: None

Health Agent Report:

Health Agent Favreau noted he performed an inspection and plan review in Leominster on June 28, 2016, as part of an inter-municipal service agreement, amounting to two hours, at the end of his workday.

The Health Agent was notified by the Public Health Nurse from the MPH of three reportable disease cases. Two were tick-borne disease cases. The third case was bacteria (Campylobacteriosis), point of contact not verified.

Signatures Required: None

Other Items:

Discussion was held on the Title 5 inspection recently performed at 7 Wilder Road. An inspection report completed by the second of two inspectors indicated it appeared that the system may have been tampered with before his inspection, including the replacement of some of the pipes. A BOH review noted they are unable to determine ground water level. Health

Agent Favreau recommended a letter be sent to the inspector and a copy to the homeowner regarding ground water determination. Gary Menin indicated that it's the responsibility of the certified T5 system inspector to determine Seasonal High Ground Water Level (by one of any number of available methods) and without this determination the T5 report was incomplete. As such, Mr. Menin indicated that this information be communicated to the owner.

Public Session: None

Appointments and Agenda Items:

6 Tuttle Road variance request: From Sterling Subsurface Sewage disposal Regulations IV(k) proposed sewage system not allowed under driveways.

Chris Knuth, representing the homeowners, appeared before the Board. He provided return receipts from the abutters. He is proposing a Presby system, with the tank to the side of the driveway and a leaching area under the driveway.

After discussion Gary Menin made a motion to approve the variance request. It was seconded by Allen Hoffman. All were in favor and the motion carried.

The Board began a discussion in regard to revising Sterling Subsurface Regulations, with input from Chris Knuth. Mr. Knuth noted the less stringent regulations used in Leominster work well and suggested the Board consider reviewing them as part of their process. He will provide a copy of the regulations and revision of the regs will be a future agenda item. In support of Knuth's suggestion, Mr. Menin pointed out that Massachusetts is considered one of the most environmentally sensitive in the United States and perhaps we should limit our regulations to those of the MA-DEP - as our judgements on things like separation distances to ground water were not justified by the existing extensive testing and analysis of our MA-DEP.

Review responsibilities of witnessing inspections:

Health Agent Favreau spoke on responsibilities of the BOH witnessing inspections, indicating that the BOH agent or members performing such tasks are there to witness and log the inspection notes as observed and verify code compliance to the permitted project. Mr. Favreau cited during a recent witnessing of a Title 5 Inspection (June 16, 2016, where the BOH members attended), Mr. Menin opened the cover to the septic tank and then began to dictate to the licensed Title 5 inspector and other BOH members the sludge and scum layer measurements within the tank. Further, Mr. Favreau cautioned Mr. Menin that, in performing this needless task, he exposed the town to risk and liability with the concern if Mr. Menin fell into this full septic tank.

Correspondence of 24 Clinton Road - Correspondence presented at the meeting by Mr. Hoffman will be part of the file for the property.

Discussion of Floor Drain Regulations - Board of Health members looked at zoning bylaws that have some language regarding floor drains, noting the Building Inspector is the person who enforces protective bylaws. Mr. Hoffman noted that the simplest solution is to extend the regulations for the water protection district to the entire town.

Extension request on proposed site visit, 38 Clinton Road - According to Health Agent Favreau, Brian Foley, owner of the noted property, has had equipment problems and only one of four lots is staked out. The Board conceded the extension request.

The next meeting of the Board is scheduled for August 8, 2016, at 6:30 PM.

Review of future agenda items - the BOH newsletter

Adjourn:

Allen Hoffman moved to adjourn the meeting and it was seconded by Gary Menin. All were in favor and the meeting adjourned at 7:40 PM.