

September 8, 2016  
Sterling Board of Health Meeting  
Butterick Building, Room 205  
1 Park Street, Sterling, MA. 01564

Meeting Minutes

6:30 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

**Attendees:**                      Steve Sears, Ross Associates, Inc  
Mr. and Mrs. Fournier

Gary Menin and David Favreau noted they were recording the proceedings as individuals. Mr. Menin's recording will be available on the cloud for those who are interested.

**Signatures Required: Sterling Fair**

All permits for vendors who will be at the Sterling Fair were presented to Board members for signature.

**Approve Available Minutes:**

After lengthy discussion on the minutes of the August 11, 2016 minutes Mr. Menin stated he would listen to the audio tape of the August 11, 2016 meeting for clarification. Mr. Hoffman requested a copy of the audio for this purpose Mr. stated he would provide the link for this audio. Board members decided to take them up at the next meeting.

**Appointments and Agenda Items:**

12 Cynthia Lane: Variance request: From Sterling Subsurface Sewage disposal Regulations IV d. all septic tanks shall be monolithic precast concrete units. Request to use existing tank. Steve Sears of Ross Associates and homeowner Mrs. Fournier presented before the BOH. A Cultec System was installed on the property in 1999. The request is to replace the leach field while retaining the existing 1500 gallon tank. Mr. Hoffman made a motion to accept the variance request, seconded by Gary Menin. All were in favor and the motion carried.

Mr. Menin asked Mr. Sears about the issue of Cultec systems and their longevity history. It was agreed that this would be a future agenda item.

108 Heywood Road variance request: The resident of this address did not appear at the meeting. The Board of Health reviewed a previous variance request submission; the plan does not qualify for a change in use to a 5-bedroom home.

Discuss Annual Newsletter topics:

Members discussed topics and determined these items would be appropriate:

- Emergency preparedness
- Title 5 inspections

- Ticks and mosquitoes
- Disposal of medicines and sharps

Mr. Hoffman volunteered to draft a newsletter for review. Mr. Menin had submitted a draft of Title 5 inspection processes that could be included.

Discuss deadline for submittal of sewage disposal system at 24 Clinton Road - Allen Hoffman:  
Board members conferred on this issue and agreed that a letter be sent to the homeowner, Mr. Charles Vincent, noting a deadline of December 1, 2016, for submittal of a sewage disposal system design for review by the Board of Health, with Allen Hoffman to prepare the letter. Vote: Mr. Hoffman - aye, Mr. Menin - aye, Ms. Clark - aye. All in favor, motion carried.

Because of an apparent discrepancy, Mr. Menin sent the associated soil evaluation report to the New England Soil Scientists group for an independent evaluation. Board member Hoffman noted that a septic system design for the system has not yet been presented, so this discussion is premature. Mr. Menin considered it appropriate for the homeowner to be aware of the review before the design was developed.

Discuss complaint from Paul Belair:

A motion to table the complaint from Mr. Belair was made by Gary Menin, noting Mr. Belair was not present at the meeting. Mr. Hoffman stated the complainant does not have to be present. There was no second on the motion.

Members Donna Clark and Allen Hoffman had reviewed the file of the property in question, Mr. Favreau's residence. Mr. Belair's complaint alleged an illegal septic system at this property. A subsurface sewage disposal construction permit was issued in 2006 for the connection of a garage toilet/sink to a separate "new" septic system near that garage. The Board of Health Agent at that time in 2006 accepted a permit. Both Ms. Clark and Mr. Hoffman noted all paperwork was in order. It was noted that 310 cmr 15.203 applies to this situation and the toilet does not constitute an additional septic system flow. Allen Hoffman made a motion that a letter be sent to Paul Belair stating all paperwork had been reviewed and was in order. Vote taken: Mr. Hoffman - aye, Ms. Clark - aye, Mr. Menin - nay. Mr. Hoffman will prepare the letter.

### **Correspondence:**

DEP has received and forwarded to the BOH an anonymous complaint regarding the possibility of a failed septic system at property located at 85 Clinton Road, stating a smell of sewage breakout. Health Agent Favreau visited the site and did not witness a breakout. Mr. Menin requested the BOH members do a site visit as there have been problems with this property in the past. The owner has "no trespass" signs posted at the property. There is no plan on record for this location. Donna Clark, who is an acquaintance of the owner, will call the owner for permission to check the property.

Commonwealth vs. Mike Cove matter continued court date of September 19, 2016.

### 215 Worcester NEADY Cat Corp.

This corporation has received approval from the Planning Board to utilize space on the first floor of this address and will appear before the Zoning Board of Appeals on September 13, 2016 for a change of use approval. Health Board members conferred on this proposal and determined their need for a statement on management of cat waste and disposal of sharps and medicine containers. Mr. Hoffman will draft a letter to the ZBA regarding these matters and any possible detrimental effects this proposed usage would cause to the tenants of the apartment on the

second floor. The Board will call the owners in for the next BOH meeting, contingent on satisfactory explanations from ZBA to the letter from the Board.

**Other Items:**

Health Agent Favreau noted there will be a water quality treatment at Lake Waushacum on Monday, September 12, 2016.

A Flu Clinic will be held at the Senior Center on September 20, 2016, from 9 AM to 11 AM.

A formal Public Records Request was submitted by Mr. Favreau to BOH member Gary Menin for a complete unedited copy of the audio recording for the August 11, 2016 Board of Health meeting.

Mr. Menin will submit a PRR for a copy of the East Lake Waushacum Leachate Detection Study, performed between the interim 1990 and present..

Health Agent Favreau noted Sterling resident Martha Holley, of 108 Chace Hill Road, has requested a Title 5 inspection and wants an alternate agent for the inspection. After discussion by Board members, a determination was made that all three BOH members, if available, will do the inspection. Mr. Favreau will reply to Ms. Holley's request.

**Adjourn:**

Donna Clark made a motion to adjourn the meeting and it was seconded by Gary Menin. All were in favor and the meeting adjourned at 9:05 PM.