

September 9, 2021
Sterling Board of Health Meeting
Butterick Building, Lower Level Conference Room
1 Park Street, Sterling, MA 01564

Meeting Minutes

6:00 PM Chairwoman Martin called the meeting to order.

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

Attendees: Catherine Kiernan, Stephen Sears, Chrissy Higgins, Sean Higgins,
Chris Stoddard, Barry Lein, Emma Massa, Arden Sonnenberg, and
Julian Votruba

General Business Updates:

Organization of the Board of Health:

A motion to appoint Allen Hoffman as Chair of the Board of Health for the fiscal year was made by Anne Marie Catalano and seconded by Allen Hoffman. All in favor; motion carried.

Allen Hoffman made a motion to appoint Cathie Martin as Vice-Chair and Anne Marie Catalano seconded the motion. All were in favor and the motion carried.

Approve Any Available Minutes: August 12, 2021:

A motion to approve minutes of the August 12, 2021 meeting, as revised, was made by Hoffman and seconded by Catalano. Unanimous vote.

Correspondence: None

State Health Officials announced that Middlesex County has 2 cases of West Nile Virus.

Mr. Hoffman presented an article posted in the Harvard Press that the state of MA denied the town of Harvard's request to opt out of mosquito spraying. According to the article, the environmental affairs office denied the application because Harvard was considered a moderate risk to the surrounding region.

Towns rated as having minimal or low regional risks were all approved.

Health Agent Report:

32 Bean Road Complaint:

The Board received a complaint of trash around the property at 32 Bean Road. Health Agent Favreau checked out the property on Monday, September 6. He reported trash at the street and bags of trash near the house. The area did not look "rat Infested". Ms. Catalano viewed the site on this day, Thursday, September 9, and noted some tied -off bags, but none at the street. Mr. Hoffman also checked out the property and found no concerns.

Appoint Animal Inspector: Emma Massa:

A motion to appoint Emma Massa as Board of Health Animal Inspector was made by Ms. Catalano and seconded by Ms. Martin. All members in favor, motion carried.

Public Hearing: Collection Bin Regulation:

After a duly noted and publicly advertised notice for public hearing, Chairman Hoffman opened the Public Hearing on Collection Bin Regulations. After a final review of the regs, a motion to approve the regulations, as written, was made by Martin and seconded by Catalano. Roll call vote: Martin - aye; Catalano - aye; Hoffman - aye. Motion carried.

Mr. Hoffman suggested a one-time registration fee of \$50.00 per bin and made a motion to establish this fee. The property owner where the bin(s) are located is the person registered to have the bin. Ms. Martin seconded the motion. Roll call vote: Martin - aye; Catalano - aye; Hoffman - aye. Unanimous vote.

It had been noted that there was no attendance from the public nor the proponent to discuss the proposed regulations.

Chairman Hoffman closed the Public Hearing.

4 Belmont Drive 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 (667 sq. ft. provided with no stone provided beneath pipes).

Steve Sears of David Ross Associates represented the homeowner on this variance request for a Presby System. According to Health Agent Favreau, this variance meets Title 5 requirements. After review by Board members, Ms. Martin made a motion to approve the variance and Ms. Catalano seconded. Roll call vote: Martin - aye; Catalano - aye; Hoffman - aye; Unanimous vote.

104-106 Leominster 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 (no stone provided beneath pipes). The plan was for a Presby system.

Nitrogen Aggregation loading plan review.

Patrick Healy represented the property owner, seeking approval for a nitrogen aggregation loading plan. Mr. Hoffman has not had an opportunity to review the plan prior to this meeting as the legal documents for land credits were only submitted to the BOH office on 9/08/2021 and Mr. Hoffman would like authorization by the Board to review the plan and then sign it, if acceptable. According to Mr. Favreau, the plan meets Board requirements. Both he and Alternate Agent Moore have reviewed the plan and believe it is compliant. A motion for Mr. Hoffman to review and follow through with recommendations and sign as acceptable was made by Ms. Martin and seconded by Ms. Catalano. Roll call vote: Hoffman - aye; Martin - aye; Catalano - aye. Motion carried.

241 Redemption Rock Trail 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 (456 sq. ft. provided with 6" stone beneath pipes).

Local Upgrade Request: 310 CMR 15.211 a variance is requested from the minimal setback distance of 20' from a subsurface sewage disposal system to a cellar. The proposed design provides a distance of 15.79' from the existing foundation.

310 CMR 15.211 a variance is requested from the minimal setback distance of 100' from wetlands bordering a surface water supply or tributary thereto. The proposed design provides a distance of 30.50' from the existing wetlands.

310 CMR 15.212 a variance is requested from the five-foot separation from the high groundwater elevation in soils with a recorded percolation rate of more than 2 MPI. The proposed design provides four-feet of separation from the high groundwater elevation.

Engineer Julian Votruba from New England Environmental Design appeared before the Board via phone on this variance request. The property has a failed cesspool with limited land area and is in a watershed protection area. According to Vincent Vignaly from DCR, there are 6 items of concern, which Mr. Votruba addressed, explaining his rationale. Mr. Hoffman suggested the system should be in the front of the home, not the back, which would limit most environmental concerns.

Mr. Votruba believes his design, as presented, is the best for the property. There are many constraints in the front yard: all plumbing goes to the back and the paved driveway would need to be dug up.

According to Health Agent Favreau, a tributary is not depicted on the plan. Mr. Hoffman suggested leaving the tank in the back yard and pump around the house. Mr. Votruba asked if the soil in the front is less suitable, could he continue with the plan. After further discussion, Mr. Votruba was advised to evaluate soil testing in the front yard of the home, and if soils are suitable prepare a new plan and come back to the Board. There was no decision by the Board of Health on this variance, as proposed.

A motion to revisit a new plan for 241 Redemption Rock Trail for the October meeting was made by Ms. Martin and seconded by Ms. Catalano. Roll call vote: Martin - aye; Catalano - aye; Hoffman - aye. Motion carried. The October meeting is scheduled for Thursday, October 14, 2021, with this variance request to be reviewed at 6:15 PM.

12 Jewett Road Review of Reserve Area Design:

Chris Stoddard of Stoddard Engineering appeared before the Board via Zoom, representing the homeowners. Mr. Stoddard provided a concept plan to the Board in case the system ever fails. Mr. Hoffman advised Mr. Stoddard that the Board needs a full design to answer all questions for complete resolution. This "concept plan" as presented does not have grade contours, soil test data, connections from dwelling to tank, to SAS, pipe elevation's nor system elevations with E.S.H.W.T offset. Mr. Stoddard agreed to prepare a new plan and this topic will be on the agenda for the October meeting. The homeowners are hoping to have an addition built on the house.

Other Items:

Discuss Coronavirus:

- (A) Town of Sterling Updates
- (B) DPH State Updates
- (C) Booster vaccines

There are currently 27 active Coronavirus cases in Sterling.

Ms. Martin provided a review of interagency DPH meetings and noted any significant updates. Booster vaccines are in the planning stages.

Adjourn:

A motion to adjourn the meeting was made by Martin and seconded by Catalano. All in favor and the meeting adjourned at 7:45 PM.