



**Town of Mendon  
Board of Health  
20 Main St. Mendon  
Minutes for  
January 21, 2015**

Chairman Andy Fiske called the meeting to order at 7:04 p.m.

Present: Tom Fichtner - Vice Chairman and Alan Greenberg - BOH member

Location – Planning Board Meeting room– 20 Main Street, Mendon, MA 01756

**102 Park Street** – The Board had many questions concerning this property. The components that make up this septic system are not all in the same town. The tank is in Uxbridge and the leaching field is in Mendon. Mendon requires two-compartment tanks and the Board is not sure what Uxbridge requires. They had no information about the tank and did not know if there was a Title V done on the property, since it has an Uxbridge address. The Board tabled any votes until Missy is able to contact the Uxbridge Board of Health to get some answers to their questions.

**96 North Avenue - There** are no actual site plans to review at this time. This item to be taken up at a future meeting.

**35 Milford Street** – Michael and David Andelman (the new owners of the drive-in) and their engineer, Robert Gemma, came to update the Board on what is going on with the property. They informed the Board that they (the new owners) have been added to the lawsuit that was filed against the Board of Health by the previous owners. To note, in this lawsuit, the former owners are seeking a reversal of an earlier vote that declared a submitted Title V Inspection Report as not being acceptable due to the fact that the septic system at the drive-in is not in compliance with Title V. The former owners were well aware that their septic system was not in compliance with Title V but this was not disclosed to the new owners during the sales process.

Robert Gemma has been in contact with David Boyer of DEP. He was told that DEP will not be involved in the septic system. The Board has requested Missy to contact DEP and have Mr. Boyer confirm in writing that the DEP would have no involvement in the septic system issues. Mr. Gemma is 90% done with the design plans. Mr. Gemma stated that a FAST system will be installed and he provided an overview on how this type of system operates. The owners informed the Board that this system will be a very expensive expenditure and would pose a great financial hardship to the operation of the drive-in. As such, they requested a three year time period to secure financing and complete the installation. The Board supported the Andelmans' request based on the fact that there is a temporary repair system in place that is functional and causes no harm to the environment. However, the Board did state that a schedule of the installation processes would be required so that all would be aware of the timelines as this work moved forward. To note, this same courtesy was given to the previous owners back in 2010 as a means to not overly burden the previous owners financially to keep the drive-in operational to the public. However, the previous owners did not keep to the previous schedule, agreed upon in writing, between them and the Board of Health members at that time.

**191 Providence Street** – There has been an ongoing issue with the As-Built and Certificate of Compliance. The Board came to the conclusion that they would require a current Title V inspection, the installer would have to apply for a current installer license and a new Certificate of Compliance would have to be submitted.

Next meeting would be January 28, 2015 for the tobacco public hearing. February meetings will be on the 11<sup>th</sup> and 25<sup>th</sup>.

Alan made a motion to adjourn the meeting. Tom seconds the motion. All members agreed. Motion carried. Meeting adjourned at 9:20 p.m.

**Approved March 25, 2015**