



**Town of Mendon
Board of Health
20 Main St. Mendon
Minutes for
October 29, 2014**

Chairman Andy Fiske called the meeting to order at 7:00 p.m.

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

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

3 Old Taft Avenue – Joe Fabbriotti, counsel and member of the yacht club, along with other members of the yacht club, were present to ask questions about what was going on with this property because the yacht club abuts the property at 3 Old Taft Avenue. Fred Lapham of Shea Engineering was present. He is representing the property owner, Marc Epstein. Andy read the memo that Tom Ryder (BOH Engineer) sent to the BOH with his approval.

“The applicant is requesting a Local Upgrade Approval for the proposed Tight Tank repair for the above referenced property. The applicant is also seeking a variance from the Mendon Board of Health's Well regulations to install a new well within 3-feet of the property line and 84-feet to the neighboring soil absorption system.

Title 5 requires that Tight Tanks are only allowed for repairs and only when the site is limited such that a Soil Absorption System cannot be installed. The designer has provided plans with Board of Health witnessed soil testing showing that a system cannot be installed onsite. The submittal includes a commitment that the tight tank will be pumped by Holliston Sewer Service.

The designer shows a proposed well that is located as far as possible to the surrounding septic systems and meets the requirements to the maximum extent practical.

As this is a repair, and the site limitations exist making it not possible to upgrade the septic system and well to meet Title 5 and Mendon Board of Health new construction standards; I am recommending approval of the Tight Tank, Local Upgrade Request for Title 5 and the Variance for the Mendon private well requirements.”

Fred Lapham reviewed the plans with the Board and those present. The BOH inquired if all the abutters were notified and/or present and the response was in the affirmative. The Board asked for discussion and/or objections to the proposed Local Upgrade. Some additional questions did come from those present and answers were provided by Mr. Lapham. No objections to the requested Local Upgrade were voiced. Fred Lapham noted that there were some additional revisions requested by the Conservation Commission. Missy (BOH Senior Administrative Assistant) will send those plans to Tom Ryder in the morning.

Tom F. made a motion to approve the local up-grade and variance as requested pending Tom Ryder's approval on the revisions. Alan seconds the motion. All members agreed. Motion carried.

Mike Szczepan of Republic Services came to talk with the Board. In addition, Mike presented a check in the amount of \$778.30 for the town's share of the paper recycling. Mike explained that the check was for less than usual because the value of paper is down as a commodity. The Board conversed with Mike about the proposed Bottle Bill (Question 2) that is on the November ballot. Mike stated that Republic Services does not support the question but he believed it would not hurt our town, as far as the recycling program goes.

Next, the Board discussed the septic loan program. Missy explained that there was a loan approved some time ago and the property owner has not done anything. Missy explained to the Board that there could be other properties that are in need of a loan and may not be able to apply because this owner has not taken any action. The Board decided that once a loan is approved the owner has 90 days to complete the work if they fall short of those 90 days they must request a 30 day extension within the original approved 90 days.

Next, the Board addressed Selectman Rich Schofield who had just stopped by. The Board asked what they could do for him. Rich relayed his concerns regarding communications that have been presented to him which seemed to indicate that processes are not being adhered to in the Town of Mendon, with regard to Title V Compliancy. Essentially, Rich raised his concern surrounding properties that are believed to not be under Title V Compliancy and presented questions to the Board regarding Title V and Title V Inspections. The Board members, along with Missy, explained some of the processes involved. It was noted that some exceptions do exist in Title V Compliancy whereby a Title V Inspection is not required (i.e. – foreclosure, property passing from parent to child, adding on spouse, etc.). However, outside of these exceptions, if a property is sold, regardless of whether or not financing is done with a bank (i.e. - cash sale), a Title V must be done. Missy explained that there have been properties of late which have been sold and the Board has not received a Title V Inspection. Missy stated that one such example is the Myriad Ballroom, which is now the Imperial Ballroom, owned by Kevin Meehan. Rich impressed upon the Board his desire to have the BOH insure that all property owners follow Title V Regulations. Missy noted for Rich that the Imperial Ballroom was the only commercial property of record that is under review for proper Title V Compliancy. Rich inquired as to how many properties currently fall under this category of having a questionable Title V compliancy. Missy stated to Rich that there are approximately 10 to 15 properties of record, over the past nine months, that fall under this category.

Missy also explained that she has been working with the BOH Engineer (Tom Ryder) to compose a letter that would be sent to the new owners of properties, that did not have a Title V compliancy, requesting a copy of the Title V Inspection. Rich stated to the Board that he wants the letter formalized ASAP and would then want to have the letter sent to Town Counsel for review. The Board acknowledged and shared Rich's desire to keep properties in compliancy. Andy directed Missy to reach out to Tom Ryder ASAP to formalize the draft letter so that we can expeditiously approve as a Board and have it sent off to Town Counsel, as Rich requested. Andy

noted for Rich that over the past few months, in addition to being concerned about properties that are not Title V compliant, the Board has also taken a harder stance with septic haulers not submitting pumping records, as required in Title V. As a result, new guidelines with penalties have been instituted with the by-product of being a much better level of compliancy by the septic haulers. Rich was pleased to hear of the Board's actions in keeping compliancy a top priority.

The next Board meeting has been scheduled for November 19, 2014.

Tom made a motion to approve the minutes from October 8, 2014. Alan seconds the motion. All members agreed. Motion carried.

Alan made a motion to adjourn the meeting. Tom seconds the motion. All members agreed. Motion carried. Meeting adjourned at 8:45 p.m.

Approved December 3, 2014