



**Town of Mendon  
Board of Health  
20 Main St. Mendon  
Minutes for  
September 10, 2014**

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

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

Location – Copy room of Town Hall – 20 Main Street, Mendon, MA 01756

**107 Uxbridge Road** – A request for a local up-grade was requested of the Board after the tight tank was already installed. The tank was moved during construction because they could not remove the old tank while the building was open. By moving the tank, it is now too close to the lot line. Andy asked who installed the tank and the representative from Andrews Survey said it was Aldore Tetreault and Sons of Mendon. Andy voiced concern over the process. Based on his extensive background, Andy stated that the tank could have been replaced on the weekend when the business was not open and that a portable toilet could have been utilized temporarily. The engineer did not have specific answers to Andy's concern. The Board asked if the tank was pumped, collapsed and removed. The engineer said it was pumped and collapsed but he was not sure if it was removed. The Board asked if the owner could let the office know who pumped it. Abutters were properly notified and the green card from the certified mail was submitted along with the notification that was sent. The plan was approved by BOH Engineer Tom Ryder.

Alan made a motion to grant the local up-grade reduction in setback to sideline from 10' required to 8.3' requested per 310 CMR 405 as installed and shown on as-built plan. Tom seconds the motion. All members agreed. Motion carried.

**81 Park Street** – Alan Kolbe and Peggy Veal the owners of 81 Park Street were present while the Board discussed the local up-grade request. The plan was approved by BOH Engineer Tom Ryder. Tom made a motion to approve the local up-grade as requested on the plan 310 CMR 15 405 (1) (h) to reduce the required 4' groundwater separation to allow 3' separation. Alan seconds the motion. All members agreed. Motion carried.

**51 Millville Street** – Margaret Bacon of Civil Site Engineering was present to discuss the variance and local up-grade request. The plan has been approved by the conservation commission. Since the site has a lot of wetlands, Andy asked for the sleeve to be extended and run the whole distance of the wetlands crossing. Ms. Bacon agreed to change from 15' to 30'. Andy would also like to see it sealed. She agreed to that also.

According to Tom Ryder's memo the applicant is requesting a Variance Approval for the proposed septic system repair for the above referenced property. The detail of Tom's memo is as follows in the next two paragraphs:

Title 5 requires that the Soil Absorption System is at least 4 feet above the estimated high groundwater table for new construction in soils with a greater than 2 minutes per inch perc rate; a 3 foot offset is allowed for repairs under a Local Upgrade Approval from the Board of Health. Three (3) Foot offsets are allowed under a local upgrade as long as a 50 foot offset to bordering vegetative wetlands (among other offsets in section 15.405) is provided. The applicant is requesting a 3 foot offset from the estimated high groundwater table and a 25-foot offset to bordering vegetative wetlands.

As this is a repair, and the site limitations make it not possible to upgrade to Title 5 new construction standards; I am recommending approval of the Variance Request as provided. As this is a Variance, the applicant needs to provide the abutting neighbors with a certified notice that the Board of Health will be meeting to discuss the repair at least 10-days prior to the meeting.

When the Board questioned Ms. Bacon about the notification to abutters as being part of the variance request, she told the Board one was not needed. Ms. Bacon possessed a document from the DEP indicating such was accurate. Andy believed this to be correct as well.

Tom made a motion to approve the local up-grade as requested on the plans along with adding the sleeve on the wetlands portion and extending this sleeve from 15' to 30' so as to run the sleeve totally across the wetland section. In addition, the sleeve would be sealed. Alan seconds the motion. All members agreed. Motion carried.

DJ Wilson of the Massachusetts Municipal Association was present to talk about rewriting the Boards Restricting Youth Access to Tobacco Regulations. Mr. Wilson did look over the current regulations and agreed that they did need to be updated. He gave the Board a sample along with a checklist for policy decisions. The Board would like to include e-cigarettes and change the age limit from 18 to 21. Mr. Wilson would be more than happy to help the Board rewrite their regulations. He also explained how dangerous the e-cigarettes are and brought in samples of various products that are designed to cater to youth. On the label of one of the containers, there was a warning that read, "If swallowed call poison control." Also, DEP is working on regulations to add it to their hazardous material list. These products come in flavors such as Bazooka bubble gum, cotton candy and sweet tarts. Obviously, this type of marketing targets kids or teenagers. After his presentation, the Board decided they would look over the checklist, along with the proposed regulations, and will discuss how best to move forward at the next

Scheduled meeting on September 24, 2014.

Alan was near 1 Western Circle Avenue and told the other members that it looked like it was being kept up from what he could see by viewing the property from the street.

Missy informed the Board about two flu clinics being scheduled. One will be on Wednesday, October 22, 2014 at the Town Hall from 5:00 p.m. to 7:00 p.m. the other will be Friday, October 24, 2014 at the Senior Center from 10:00 a.m. to 12:00 p.m. The Board was very pleased that we were expanding service to the community by offering two clinics to the residents. The Board reiterated its desire to bring as much value as possible to the contract in place between the Board and the VNA.

Missy talked to the Board about giving her permission to sign abatements and commitments for trash. It would make it easier instead of waiting for a meeting or members to be able to stop by. Technically, the Treasurer/Collectors Office can't accept a payment until the paperwork is complete. Missy thinks this could just make it easier for everyone. She asked Linda if it had to be the Board that signed and Linda said no. Missy just needed to have the Board vote on it and send Linda a letter. The goal of this change is to flow processes smoothly.

Alan made a motion giving Missy permission to sign trash abatements and trash commitments. Tom seconds the motion. All members agreed. Motion carried.

The next meeting will be September 24, 2014.

Tom made a motion to adjourn the meeting. Alan seconds the motion. All members agreed. Motion carried. Meeting adjourned at 8:59 p.m.