



Town of Ashland

MASSACHUSETTS

Ashland Board of Health
101 Main Street Ashland MA 01721
Meeting Minutes
February 23, 2016

Mary Mortensen, Chairman

Charles Legassey, Vice-Chairman

Judith Margulies, Clerk

Koduvayur Narayana, Member

Mark Oram, M.P.H., Agent/Director

Members Present

Mary Mortensen, Charles Legassey, Judith Margulies and KG Narayana

Others Present

Mark Oram, Health Director, Laura Clifford, Administrative Secretary

Michael Herbert, Town Manager

Joel Arbeitman, 28 Woodridge Lane

Mark Dassoni, 49 Hawthorne Road

Timothy Deschamps, Central Mass. Mosquito Control

Terry Gross, Julie's Z Breads

David Caligaris, Owner, The Green Company

Greg Howell, The Green Company

Craig Finn, The Green Company

Attorney Jerry Effren

Call to Order

Mrs. Mortensen called the meeting to order at 7:01 p.m. and announced that the only information to be discussed was what is on the agenda; discussion requests for new information must be put on the next agenda, that there should be no interruptions, speakers must go through the Chair, and that the Health Agent's Report is provided by the Health Agent, questions to the Agent must go through the Chair. Ms. Margulies said that she would also be attempting to record the meeting.

Mr. Narayana said that he had items he had wanted on the agenda, Mrs. Mortensen responded that those items would be heard in due time. Ms. Margulies said she also had items she wanted on the agenda. Mrs. Mortensen said she would prefer to wait until there is a full Board.

Citizen's Participation

Mark Dassoni told the Board he would be interested in filling in the vacant position left by Ed Hart's resignation. Mr. Dassoni stated that the Town would like to see a Board of Health that can work together, and so there wouldn't be any tied votes. Mrs. Mortensen told Mr. Dassoni to submit his paperwork to the Town Manager's office, that an appointment would be up to the Board of Selectmen. Ms. Margulies responded that if the Board of Health notifies the Board of Selectmen within 30 days, the Board of Health Members can make a joint appointment. Ms.

Margulies suggested Board Members consider signing a letter she had drafted. Mrs. Mortensen said she would table the discussion to get through the agenda appointments first.

Mr. Herbert suggested that parliamentary procedure can guide the conduct of the meeting, typically meetings are run through the Chairperson, and if it starts to get out of control for any reason, then start taking a formal approach to Robert's Rules and parliamentary procedures.

Timothy Deschamps, Central Mass Mosquito Control program overview

Timothy Deschamps, Director of Central Mass Mosquito Control Company, thanked the Board for the invitation to attend their meeting and handed out brochures and explained their program and the services they offer, including mosquito larvae control, as well as spraying for adult mosquitoes. Mr. Deschamps explained that residents may register a complaint and a technician will go out and speak with the homeowner, survey the land, and if warranted, will come back after sunset and spray targeted areas. Mr. Deschamps spoke of other ongoing programs and long range goals. Mr. Oram thanked Mr. Deschamps for the many years of working together and is glad that Ashland joined this County agency in 1973, Mr. Oram said he can't say enough about the good work that they do and thanked him on behalf of the Board. Mr. Narayana requested the addresses of ponds that are currently being monitored in Ashland, Mr. Deschamps said he would get a list to Mr. Oram.

Julie's Z Breads, request for external grease interceptor waiver

Mr. Oram explained that the Terry and Julie Gross would like to build a facility at 50 Main Street and are applying for an external grease trap waiver. Mr. Gross said that they manufacture 23 varieties of zucchini bread, with no use of a fryolator and use minimal amount oil, their breads are sold with the containers they are baked in. Mr. Oram recommended granting the external grease trap waiver. Mr. Narayana made a motion to grant a grease trap waiver through December 31, 2016. Ms. Margulies seconded the motion. The motion was approved 4-0.

The Lantern at Warren Woods, irrigation wells request

David Caligaris, of The Green Company, presented to the Board the irrigation well plan for the Lantern at Warren Woods project. Mr. Caligaris feels that his company has been very responsive to the issues that exist in today's world regarding water conservation. Mr. Caligaris explained that the development process began 18 months ago by speaking with residents and ended with this site plan which addressed how best to use water responsibly. Mr. Caligaris explained that it starts by condensing the overall footprint, keeping 50% as open space. Mr. Caligaris also explained the vegetation would be a hedgerow concept, maximizing meadowgrass across the entire site and substituting perennial areas and stone for grass. Mr. Caligaris said they would also maximize the use of sprayheads which conserve water; adding that they use these measures because it's the responsible thing to do for our communities and residents. Mr. Oram added that they will also need to meet our local well regulations and quality and quantity standards. Mr. Caligaris said that he spoke with Mr. Oram about using a coupler, which could be used by the Town as an emergency water source. As it relates to routine quality testing after a private well is approved, Mr. Narayana asked and Mr. Oram responded, that there are no requirements for private wells, but it is recommended that drinking water wells be monitored yearly for bacteria, and every three years with a full testing; irrigation wells only need testing if they are having issues. Mr. Oram recommended the Green Company test the wells on an annual basis at the start up period each year. Mrs. Mortensen suggested a motion to accept the plans as submitted, Mr. Narayana so moved the motion. Mr. Legassey seconded the motion. The motion was approved 4-0.

117 Winter Street, Variance Request for Septic System Replacement

Eric Dickinson, Engineer, presented to the Board a plan for a replacement septic system at 117 Winter Street, which was an existing home that burned down. Mr. Dickinson said they were only able to run one percolation test due to the amount of fill on the property causing a safety issue to conduct a percolation test in the naturally occurring soil below the fill and are requesting a variance from the required two percolation tests, and also a variance from Section 303-11 requiring the design to include provisions for a garbage grinder. Mr. Oram said he has reviewed the plans and recommends that the two waivers be granted with the condition of a deed recording and the installation of an effluent filter. Mr. Legassey made a motion to grant a waiver from Ashland Board of Health regulations 303-7 (A) to allow the subsurface sewage disposal system to be designed utilizing one percolation test versus the required two percolation tests. Mr. Narayana seconded the motion. The motion was approved 4-0. Mr. Legassey made a motion to grant a variance from Ashland Board of Health regulations 303-11 to allow the subsurface sewage disposal system to be designed without a garbage grinder with the conditions that no garbage grinder be installed within the house, a deed recording be placed on the property stating no garbage grinder shall be installed in the house while the subsurface sewage disposal system is in use; and a septic tank effluent filter shall be installed. Mr. Narayana seconded the motion. The motion was approved 4-0.

Health Director / Agent Report

Landfill reshaping and solar projects, updates

The landfill reshaping project is almost to a close, ECS submitted to the state a request for final closure, with the solar proposal. We are now waiting for DEP to finalize. Mr. Narayana said that Ameresco was at the Conservation Commission meeting, where it was discussed that there is wetlands on the side of the property, the chairman said it is being monitored for contamination and that the Board of Health receives the reports. Mr. Oram said that we receive paper reports, and has requested ECS start to send them electronically, adding that we receive groundwater monitoring reports twice per year, and the gas monitoring probes are tested quarterly. Mr. Oram said that our consultants will call him and DEP within two hours if immediate action is required, or there is a spike in chemical levels above the allowed levels. Mr. Oram explained that he and the ECS consultant monitors the results, as well as DEP. Mr. Narayana asked that Mr. Oram forward the reports to the Board. Mr. Oram stated that there are two homes in the neighborhood with wells, which the Town monitors. Mr. Herbert said that the landfill is tested twice per year for groundwater as part of DEP's Administrative Order.

January 20, 2016 tobacco training update

Mr. Oram said that the tobacco trainer was excellent, and thought the course was very good. Mr. Oram would like to have this training repeated next year.

Regional Emergency Planning Committee updates

Mr. Oram informed the Board that a veterinarian, Dr. Schwartz, was at the Metrowest Regional Emergency Planning Committee meeting on January 7th, and gave a good presentation. Mr. Oram explained that MREPC meets every three months, and that this is a good concept of regionalizing, and these professionals from surrounding towns have been a good group to work with. Mrs. Mortensen was part of the Local Emergency Planning Committee (LEPC) which was developed after Nyanza, and was formed of local residents.

Mr. Narayana thanked the Fire Department for their assistance in helping him with his mother. Mrs. Mortensen suggested a thank you letter, which the Department would then post.

44 Haven Way, Oil Spill

Mr. Oram explained to the Board that a home on Haven Way had an oil spill, there were two tanks, and one had a spill. Mr. Legassey inquired if this was in the basement, or was it underground. Mr. Oram said the tank may have been overfilled.

Mr. Narayana inquired if there was any clarification from MAHB attorney as to how to handle the FDA failed tobacco compliance check at Ashland Convenience Store. Mr. Oram said he had put a call into Cheryl Sbarra and is waiting to hear back from her, adding that Eliot Brown thinks there is probably no more we can do.

Mrs. Mortensen said that because she will be away, there will not be a full Board to have a joint meeting with the Board of Selectmen. Mrs. Mortensen stated that she is getting a lot of complaints from people who have suggested that members of the Board of Health are going to different meetings and representing themselves as a Board of Health Member. In order to represent the Board, the Board must have a consensus to do this. Ms. Margulies responded that it is one thing to say as an individual you are a member of the Board of Health and another to say you are there on behalf of the Board of Health, and that she always makes an attempt to say she is speaking as an individual. Mrs. Mortensen said that she has received calls and wanted to make the members aware of what she has heard. Mr. Narayana said there is no truth to this. Mr. Narayana and Ms. Margulies said they would never speak on behalf of the Board. Mrs. Mortensen said that she was not able to put this on the agenda. Mr. Narayana made a motion to add this to the agenda for discussion. Ms. Margulies seconded the motion. Mrs. Mortensen said we have gone through the agenda, and we are not discussing this any further. Ms. Margulies said that if we do not inform the Selectmen within 30 days we lose the ability to participate in the decision to appoint a fifth Board of Health Member. Mrs. Mortensen said we do want a fifth Board Member and there have been submissions to the Selectmen with interest to come on the Board. Mrs. Mortensen made a motion to adjourn. Mr. Legassey seconded the motion. The Board voted 2-2. Mr. Legassey and Mrs. Mortensen left the meeting. There was no quorum to continue the meeting. The meeting adjourned due to lack of quorum.

ASHLAND BOARD OF HEALTH
DOCUMENTS REVIEWED AT THE 2/23/2016 MEETING
(All items stored in the Board of Health files unless otherwise noted)

1. Central Mass. Mosquito Control Project
 - a. Brochure
2. 117 Winter Street, Variance Request for Septic System Replacement
 - a. Letter from Paul Saulnier, P.E.
3. Julie's Z Breads, Request waiver from External Grease Trap
 - a. Letter from Terry Gross, Owner
4. Lantern at Warren Woods, 466 Chestnut Street, Irrigation Well Permit
 - a. The Green Company's Well Permit Application and Plans
5. Release Abatement Measure (RAM) Plan
 - a. Letter from GEO Consultants, Inc.