

**Board of Health Minutes**  
**February 6, 2006**

1. The Board of Health meeting convened at 6:45 p.m. with the following members present: Patrick Durkee (Acting Chairman), Scott Sibley, Bob Hamelin and ABOH Agent Jim Garreffi of NABOH. Dr. John McLaughlin and Glenn Hathaway joined meeting as the meeting was underway with Mr. Hathaway assuming the Chairmanship duties from Mr. Durkee after completion of presentation of Septic Permits by Jim.
2. The agenda was approved without modification.
3. January 2006 minutes were approved without change.
4. Septic permits approved and signed were:
  - Springhill Realty Trust – Cross Road, Lot 2, M11/P6
  - Springhill Realty Trust – Cross Road, Lot 1, M11/P6
  - Springhill Realty Trust – Cross Road, Lot 3, M11/P6
  - BNE Realty Trust – Lot 2A, 174 Ashby Road
  - BNE Realty Trust – Lot 1, Ashby Road
  - Mark Manchester – Lot 3, 55 Platts Road
  - Frank Morse – 123 Dunn Road
5. Correspondence was reviewed (see agenda).
6. Hearings/Appointments:

7:00 p.m. – George Kahale presented the Ashburnham Septic Management Program announcing another \$200,000 in loan funding is available. A copy of the program notice to be included with electric bills sent by Ashburnham Municipal Light was presented to the ABOH.

7:15 p.m. – Ashburnham Planning Board members John MacMillan, Joseph Kalagher and Town Planner Eric Smith continued discussion of the Shared Systems Proposal. The Ashburnham Planning Board wishes to present to the Town for approval at the upcoming annual Town Meeting as part of a larger proposal. The Planning Board stated the goals of this proposal to be to save open space, to lessen the degree of new infrastructure (road adoption, etc.) by the Town of Ashburnham and to maintain the rural character of the Town of Ashburnham. The APB will return to the ABOH in March for a continuation of discussion.

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7:45 p.m. – Northland for Daniel Moriarty – re: 1 View Avenue  
Green card returned and presented for Keith Penniman of 3 View Avenue. Deed restriction for 1 bedroom noted as in place. ABOH approved 2 variances to 310 CMR 15.405.2(h) offset to wells. The first from 100' to 70' and the second from 100' to 72'. The ABOH noted that the plan as presented by Angel Lehtonen described the second as from 100' to 65' and is to be

corrected.

8:00 p.m. – Brian/Irene Snay – re: outdoor furnace/smoke

A letter dated January 17 and addressed to the ABOH requested a meeting regarding an unspecified outdoor furnace. The Snays presented the ABOH with non date stamped photos (photo development stamped Oct. 8 and 10 on back) and stated they had been seeking action since April 2005. They described the location was 150' from their home, filling their home and vehicles with smoke and making their gazebo incapable of enjoyment. The Snays presented the ABOH with a letter signed by Dr. Curtis Clayman describing chronic sore throat and cough problems.

The Snays presented the ABOH a log of 12 instances.

The Snays stated they requested this meeting based on lack of response and action taken by James Garreffo, ABOH Agent, the Ashburnham Fire Department and the ABOH.

The Snays stated they had not received notice of the January ABOH meeting with James Parenteau, whose outdoor furnace was identified by the Snays as the reason behind their ABOH meeting request.

The Snays insisted immediate action be taken.

The ABOH through discussions with the Snays attempted to identify the nature of the matter, frequency and contributing factors associated with the meeting request. The Snay's were not able to specify beyond "when the furnace cycles out", "this has been ongoing since April".

The ABOH requested photocopies of all pictures and all documents (Dr. Clayman letter) be provided to Sue Dembek, Land Use Administrator for filing.

The ABOH questioned Jim Garreffo to determine why ABOH had not received any notice and any specifics of this complaint until the Parenteau's requested a hearing as a result of a Cease and Desist notice having been sent to Jim. James Parenteau requested a hearing at which time the ABOH concurred that due diligence and corrective actions had been taken and were ongoing.

The ABOH rescinded the order in January.

The ABOH was also informed by Jim Garreffo that the complainant(s) and abutters are not required to be notified or present when the recipient of a C&D order request a hearing before the BOH.

When the ABOH sought clarity from Jim Garreffo as to why the Snay's complaint had not been addressed since April, it was informed that the Snay's had not made the issue know directly to him until a later time and had sought action through the DEP. Other discussion such as unsubstantiated statements attributed to a member

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of the Ashburnham Fire Department were not documented for presentation to the ABOH. The ABOH agreed this was first notice received by the ABOH as presented by the Snay's or the ABOH Agent.

Discussion ensued on improving the notification processes for all parties and to further examine if necessity exists for establishing conditions/recommendations/requirements for regulating wood burning devices.

Also discussed was that Jim Garreffo and ABOH members do a site visit and that if the documentation (pictures, log and medical statement) presented by the Snay's were corroborated, a notice be sent to the Parenteau's on Friday, February 10. A motion was presented by the Chairman but not seconded to send a C&D order if members concurred that a health issue existed and must be addressed.

The NABOH agent was instructed to perform daily onsite visits and inform the ABOH of his recommendation. As the meeting adjourned, Jim Garreffo, Scott Sibley and Bob Hamelin visited the site.

8:55 p.m. – Jim to contact DEP regarding a report of oil contamination of Naukeag Hospital. The ABOH members request prompt notice of significant health risks be presented immediately to the members. Recent examples such as Naukeag and the DEP notice to the Richard Wright Family Trust were cited to ensure preparedness of the ABOH.

9:00 p.m. – The meeting adjourned.

Respectfully submitted,  
Bob Hamelin, Acting Secretary