

**TOWN OF MILLIS
BOARD OF HEALTH
Minutes of Meeting February 13, 2017**

A meeting of the Board of Health was held on Monday, February 13, 2017 at the Veterans Memorial Building, Room 213, Millis, Massachusetts. Present were Bonnie Hilton, Acting Chair and Kathleen Lannon, Board Member, Barbara Thissell, Director and Vickie Philben, Administrative Assistant. Absent was Brian Hoell, Chair.

Ms. Lannon moved and Ms. Hilton seconded that the Millis Board of Health meeting of February 13, 2017 be opened at 7:08 p.m. It was unanimously voted to open the meeting.

Administrative Business:

- I. **January 9, 2017 Minutes:** The minutes of January 9, 2017 were accepted by Ms. Hilton and Mrs. Lannon, as presented.
- II. **Nurse's Report:** The monthly report of the Public Health Nurse was reviewed.

New Business:

- I. **Food Recalls:**
 - A. Palmer Candy Company recalls select candy products; milk powder ingredient may be contaminated with Salmonella.
 - B. Harris Teeter, LLC recalls Everroast Chicken Caesar Wrap; undeclared fish.
 - C. Hostess Brands, LLC recalls Holiday White Peppermint Hostess Twinkies; milk powder ingredient may be contaminated with Salmonella.
 - D. Perfect Fit Meals, LLC recalls Chicken Breast products; undeclared milk and wheat.
 - E. Chip'n'Dipped recalls Dark Chocolate Crunch Bar; undeclared milk.
 - F. Tupperware U.S., Inc. recalls Southwest Chipotle Seasoning; may be contaminated with Salmonella.
 - G. Kettle Cuisine, LLC recalls "Mom's Chicken Soup"; it's actually Italian Wedding Soup and contains undeclared eggs, milk, and wheat.
 - H. Hy-Vee recalls Several Candy products; may be contaminated with Salmonella.
 - I. Golden Flake Snack Foods, Inc. recalls HOT Thin & Crispy Potato Chips; undeclared milk.
 - J. The Pictsweet Company recalls Pictsweet Farms Breaded Okra; possible glass contamination.

- K. Willow Tree Farm, Inc. recalls Whole Foods Chicken Salad; actually contains an egg salad product.
 - L. Chip'n'Dipped recalls seven more of its Dark Chocolate Bars; undeclared milk.
 - M. King's Pastry Canada recalls its cakes; undeclared tree nuts.
 - N. Hans Kissle Co. recalls Ready-to-Eat Chicken products; potential process defect.
 - O. Carriage House Creations recalls their various Bourbon Basting Sauces and Hot Barbecue Sauce; undeclared soy and peanuts.
 - P. Kingsway trading Inc. recalls "Xanthium & Siler Combo (Bi Yan Pian) Dietary Supplement"; contains banned Ephedra Alkaloids.
 - Q. Starway, Inc. recalls Peony Mark Dried Lily Flower; contains undeclared sulfites.
- II. **Food Inspections and Reviews:** none
- III. **Temporary Food Event Permits** – The following permits were issued since the Board's January 9, 2016 meeting:
- A. Millis Lions Club: Super Bowl Breakfast, Saint Thomas Hall
- IV. **Septic System Activity** – Ms. Thissell summarized ongoing septic system improvements and/or inspections completed since January 9, 2017: A. **Receipt of Title 5 Reports:**
- 1. **246 Pleasant Street** - Passed Title 5 on December 31, 2016.
 - 2. **20 Spencer Street** – Passed Title 5 on January 5, 2017.
- B. **Septic System Improvements:**
- 1. **435 Exchange Street**
 - a. Final grade inspection completed on January 11, 2017.
 - 2. **334 Orchard Street**
 - a. Tank excavation inspection completed on January 11, 2017.
 - b. Soil absorption system excavation on January 13, 2017.
 - c. Soil absorption system for distribution box (d-box) and pump inspection on January 18, 2017.
 - d. Final grade inspection on January 25, 2017 is unacceptable.
 - 3. **137 Acorn Street**
 - a. Design review completed on January 13, 2017
 - 4. **139 Acorn Street**
 - a. Design review completed on January 13, 2017.
 - 5. **141 Acorn Street**
 - a. Design review completed on January 13, 2017.
 - 6. **289 Village Street**
 - a. Design review completed on January 18, 2017
 - b. Re-reviewed and Disposal System Construction Permit (DSCP) issued on January 18, 2017.

7. 20-22 Eden Street

- a. Unanticipated groundwater encountered while installing dbox. System Inspector changed Title 5 'Conditionally passes' designation to 'Fails' designation V.

Various Complaints:

- A. **McDonald's Restaurant** – On January 10, 2017, a resident called the office stating that she was concerned about the cleanliness of McDonald's. She stated that there were bird feathers on the floor of the dining area. Ms. Thissell visited the restaurant and discussed the concern with the Person in Charge (PIC). Upon investigation it was concluded that the 'bird feathers' were jacket-fill material.

VI. Miscellaneous:

- A. **Flu Vaccine Clinic(s)** – The Director asked the Board if the reduced volume of flu vaccinations administered during the fall flu clinics warranted a reduction in the number of future flu clinics. After a brief discussion the Board decided to continue to hold two fall flu clinics. The Board reasoned that though flu shots are readily available at several retail stores, flu clinics offer a valuable convenience to the residents of Millis and an excellent opportunity to practice emergency inoculation.
- B. **Refrigerator for Flu Vaccine** – The refrigerator that was used for the flu vaccine does not work. The flu vaccine is now being stored in the small portable vaccine refrigerator. The Director will determine if Public Health Emergency Preparedness (PHEP) funds can be used for the purchase.
- C. **Stoney Brook Apartments** – On January 11, 2017, the office received a phone call from the Fire Department regarding a possible hoarding issue at Stoney Brook Apartments. The Director followed up with the Fire Department and Stoney Brook management. No additional action is required.
- D. **Solar Array Facility** – The Planning Board received an application for a solar array facility at 1280 Main Street. An Environmental Health Permit will not be required.
- E. **62 Dover Road (Dover Estates)** – A four-lot subdivision is being proposed off Dover Road. The Director informed the Board that an Environmental Health Permit will be required.
- F. **Tractor Supply Company** – An As-built plan for Tractor Supply Company was received. At the time of the meeting, an opening date had not been set.
- G. **Legalization of Marijuana** – Selectman McCaffrey invited the Director to attend a meeting on February 14, 2017 to discuss the implications of the State's legalization of recreational marijuana. Possible zoning and/or general by-law amendments will be discussed.
- H. **Time Needed for Review of Information Prior to Meetings** – Technical information is being submitted to the Department without adequate time

for a thorough review. The Board authorized the Director to inform applicants that the Board will not take action on applications that have been submitted with insufficient review time.

Scheduled Public Hearing & Discussion:

I. 7:30 p.m. Dover Road Residences Assisted Living Facility

Present were:

Melissa Recos, P.E. of BETA Group representing Board of Health;
Robert Truax, of GLM Engineering representing the applicant;
Jim Williamson, Carol Carter and David Carter of Barberry Homes;
David McCarter applicant; and Susan
Steele, project abutter.

Mrs. Lannon made a motion to open the hearing for Dover Road Residences Assisted Living Facility. Ms. Hilton seconded the motion and it was unanimously voted to open the hearing.

Ms. Recos and the Director stated that their outstanding concerns have been addressed by the applicant. The Director stated that Town Counsel has reviewed the stormwater operation and maintenance plan and the Tripartite Agreement and finds them acceptable.

The Director stated that she would like to have Town Counsel review the Permit prior to issuance. A waiver has been requested which would allow an increase in the rate and volume of stormwater runoff at the property line. The Board has not previously granted this waiver request. The increase in stormwater flow would be controlled within a stormwater management system on neighboring properties. The neighboring properties and the project site are bound by a Tripartite Agreement which allows the construction of stormwater components and maintenance access within drainage easements. The Board agreed that this unique situation warrants the input of Town Counsel.

The Director also informed the Board that the applicant is currently working out the details of the proposed public sewer connection with the Board of Selectmen and the Department of Public Works. The Environmental Health Permit will include its standard conditions including but not limited to *'This Permit does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state or local statutes, ordinances, by-laws or regulations. This permit is issued subject to the applicant obtaining any and all other applicable permits and approvals from State and other Town agencies'* and

'Buildings shall be serviced with municipal sewer and water services. Failure to acquire these municipal connections shall void this Permit'.

Mrs. Lannon made a motion to continue the Environmental Health Impact Report (EHIR) review to next Board of Health meeting on March 13, 2017 at 7:15 p.m.

Ms. Hilton seconded the motion and it was unanimously voted to continue the hearing.

II. 8:00 p.m. Glen Ellen Senior Residential Community Development

Present were:

Melissa Recos, P.E. of BETA Group representing Board of Health;
Austin Turner, P.E. of Boehler Engineering representing the applicant;
Ted Cannon, Doherty, Ciechanowski, Dugg and Cannon; and Scott
Miccile of Toll Bros.

Mrs. Lannon made a motion to open the hearing for Glen Ellen Senior Residential Community Development. Ms. Hilton seconded the motion and it was unanimously voted to open the hearing.

The applicant described the proposed development. It is proposed to construct 324 senior residential units with associated driveways, parking areas, landscaping and utility improvements at 84 Orchard Street. A private club house, pool and wellness center available only to the residents are proposed. Open space with walking trails available to the public are also proposed.

Though it is proposed to construct the development in phases, the applicant is seeking an Environmental Health Permit to construct the entire development at this time. The Director requested that information on the proposed phasing be submitted.

Ms. Recos stated that she completed her engineering peer review of the stormwater calculations. She noted that additional soil testing is needed in many of the proposed stormwater basins. The Director stated that she had not completed her review of the application.

Massachusetts Department of Environmental Protection has approved the hydrogeological study associated with on-site wastewater disposal. Design of the on-site wastewater treatment facility is on-going though the applicant is concurrently exploring the feasibility of extending the municipal sewer system to the project.

The project will be serviced by municipal water service. Off-site water-main improvements would be necessary to meet anticipated project needs.

The site is designed to balance soil cuts and fills to the extent practical. The Director expressed concern that it may be necessary to remove earthen materials from one area of the site to develop another. This could result in several significant areas of site disruption at a time. The construction phasing plan should address fencing and site stabilization needs beyond the phase under construction.

The applicant stated that he would be requesting three variances from the Board. The project will seek a variance to allow site excavation to within 7.5-feet of seasonal high groundwater. The project will seek a variance to allow a decrease in the rate and volume of stormwater runoff from the site. And the project will seek a variance from the requirement of conducting falling head soil permeability testing in each of the proposed stormwater basin locations. Current Massachusetts Department of Environmental Protection stormwater standards recommend that soil permeability be determined by soil texture.

Mrs. Lannon made a motion to continue the EHIR review to March 13, 2017 at 7:30 p.m. Ms. Hilton seconded the motion and it was unanimously voted to continue the hearing.

Mrs. Lannon moved and Ms. Hilton seconded that the Board of Health meeting on February 13, 2017 be closed at 9:28 p.m. The Board voted unanimously to close the meeting.

Next Scheduled Meeting: Monday, March 13, 2017

Respectfully Submitted,

Vickie Philben
Administrative Assistant

Documents and Submittals of Meeting:

Dover Road Residences

- Memo dated January 25, 2017 from Melissa Recos, P.E., BETA Group.
- Memo dated January 25, 2017 from Barbara Thissell, P.E., Health Director.

Glen Ellen Senior Residential Community Development

- 4-page letter dated February 9, 2017 from Melissa Recos, P.E., BETA Group
- 2-page memo dated January 30, 2017 from Barbara Thissell, P.E., Health Director.
- 6-page letter dated January 20, 2017 from William Goebel, P.E., Bohler Engineering.
- 11-page letter dated January 5, 2017 from Melissa Recos, P.E., BETA Group