

## TOWN OF MILLIS

### BOARD OF HEALTH

#### Minutes of Meeting March 13, 2017

A meeting of the Board of Health was held on Monday, March 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 March 13, 2017 be opened at 7:08 p.m. It was unanimously voted to open the meeting.

#### **Administrative Business:**

- I. **February 13, 2017 Minutes:** The minutes of February 13, 2017 were accepted by Ms. Hilton and Mrs. Lannon.
- II. **Environmental Health Impact Report (EHIR) Review Process:** Ms. Hilton noted that several EHIR applicants have been submitting materials to the department with little time for a thorough technical review. The Board questioned if it would be appropriate to establish a policy stating that information received within two-weeks of a public hearing will not be reviewed prior to the hearing. Ms. Thissell stated that she would prefer that submission deadlines be determined on a case-by-case basis. The submission of minor modifications can be reviewed rather quickly. The engineering review of extensive stormwater calculations often takes longer than two weeks to complete.

Ms. Thissell asked the Board if she should continue to provide in-depth engineering reviews of submissions that are being peer reviewed by its engineering review consultant. The Board instructed Ms. Thissell to continue to provide engineering peer reviews until it is comfortable with the peer reviews being supplied by the consultant.

- III. **Nurse's Report:** The monthly report of the Public Health Nurse was reviewed. In her report the Town Nurse requested the Board's input before purchasing flu vaccine for the 2017 fall flu clinics. Ms. D'Angelo's report recommends the use of quadrivalent flu vaccine. Ms. Lannon stated that trivalent flu vaccine is less expensive and that it is being used to inoculate employees of area hospitals. The Board requested that the nurse provide information on the cost of the trivalent vaccine prior to making its determination. Additionally the Board determined that multi-dose vials of vaccine should be purchased in lieu of pre-filled syringes. The multi-dose vials are less expensive and better prepare the

community emergency volunteers (Medical Reserve Corps) for mass-inoculation during an emergency.

**New Business:**

**I. Food Recalls – See attached**

**II. Food Inspections and Reviews:**

- A. Dunkin Donuts was inspected on February 16, 2017 and re-inspected on March 9, 2017.
- B. McDonald's was inspected on February 16, 2017 and re-inspected on March 2, 2017.
- C. Mobil was inspected on February 16, 2017.
- D. Napper Tandy's was inspected on February 27, 2017 and re-inspected on March 9, 2017.
- E. Amvets was inspected on February 28, 2017 and re-inspected on March 9, 2017.
- F. Isabella's was inspected on February 28, 2017 and re-inspected on March 2, 2017.
- G. Kravings Grille & Ice Cream was inspected on February 27, 2017.
- H. Lumpy's Liquors was inspected on February 28, 2017.
- I. Rocky's Ace Hardware was inspected on February 28, 2017.
- J. Millis House of Pizza was inspected on March 6, 2017.
- K. Lilac House was inspected on March 6, 2017, visited March 9, 2017, and invited to meeting on March 13, 2017.

**III. Temporary Food Event Permits – The following permits were issued since the Board's February 13, 2016 meeting:**

- A. Millis Girls Basketball Bake Sale – February 21, 2017
- B. Boston Classics Gymnastics Meet – February 25 and 26, 2017
- C. Recreation Dept. Pizza Party – March 3, 2017

**IV. Septic System Activity – Ms. Thissell summarized ongoing septic system improvements and/or inspections completed since February 13, 2017:**

- A. **Receipt of Title 5 Reports:** none
- B. **Septic System Improvements:**
  - 1. **137 Acorn Street**
    - a. Septic System Plan returned with comment on February 15, 2017.
    - b. Disposal System Construction Permit (DSCP) issued on March 2, 2017.
  - 2. **334 Orchard Street**
    - a. Certificate of Compliance issued on February 26, 2017.
  - 3. **50 Railroad Avenue**
    - a. DSCP returned with comment on March 2, 2017.
  - 4. **141 Acorn Street**
    - a. DSCP issued on March 2, 2017

**5. Southend Farm**

- a. Soil evaluation for four septic systems on March 6 and 7, 2017.

**6. 38 Beech Street**

- a. DSCP issued on March 13, 2017.

**7. 34 Beech Street**

- a. DSCP issued on March 13, 2017.

**V. Various Complaints:**

- A. **42 Stoney Brook #9; Ceiling leak** – A resident of 42 Stoney Brook #9 called the office on February 23, 2017. The resident stated that he had a ceiling leak that was not being repaired in a timely manner. Ms. Thissell visited the dwelling and noted water damage in two areas. She then met with Stoney Brook management to establish a reasonable date certain for the repairs.

**VI. Miscellaneous:**

- A. **Health Fair** – Mrs. Lannon requested that additional educational materials be made available to the community at the next health fair. Possible topics could include: diabetes, healthy eating, hypertension and Lyme disease
- B. **Rabies Clinic** – The Rabies Clinic is scheduled to take place Saturday, April 8, 2017 from 1 p.m. to 3 p.m. It will be held in the DPW building.
- C. **EHIR Revolving Review Fund Accounts** –Ms. Philben stated that the following applications have been reviewed and acted upon. She would like to return unused review funds to the following applicants:
  - 1. **Tractor Supply – EHIR2016-1**
    - a. There is \$12.00 remaining in the budget and will be mailed NERP Holding & Acquisitions, LLC.
  - 2. **Dover Road Residence – EHIR2016-3**
    - a. There is \$10.00 remaining in the budget and will be mailed to Barberry Homes, LLC.

**Scheduled Public Hearing & Discussion:**

**I. 7:15 p.m. Dover Road Residences Assisted Living Facility**

Present were:

Jim Williamson 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. Thissell stated that her outstanding concerns have been addressed. She stated further that a Draft Environmental Health Permit was prepared and that Town Counsel has reviewed the Draft and found it to be acceptable.

On a motion made by Mrs. Lannon and seconded by Ms. Hilton, it was unanimously voted to grant the variance requested from Section XII.1 of the Public and Environmental Health Review Regulations and Standards to allow an increase in the rate and volume of stormwater runoff from the project site located within Assessor's Map 18, Parcel 4. The proposed variance is considered non-detrimental because the anticipated increase in stormwater runoff will be controlled by a stormwater management system that has been designed to convey the 100-year rainfall event to a stormwater basin that has been designed to mitigate the anticipated increase in rate and volume of runoff from the site. The proposed stormwater basin will be located within the same watershed as the project area. All stormwater components will be located within drainage easements on neighboring properties subject to a Tripartite Agreement. Further all stormwater components will be inspected and maintained in accordance with a Stormwater Management Operation and Maintenance Plan which clearly identifies the owner of the project site (Millis Assessor Map 18, Parcel 4) as the party responsible in perpetuity.

On a motion made by Mrs. Lannon and seconded by Ms. Hilton, it was unanimously voted to grant the variance requested from Section XII.1 of the Public and Environmental Health review Regulations and Standards to allow a decrease in the rate and volume of stormwater runoff from the overall projected area. It is proposed to construct a stormwater infiltration basin on Assessor Map 27, Parcel 1. The basin has been designed to reduce the peak rate and volume of stormwater flow from the project site identified as Assessor Map 18, Parcel 4. The proposed variance is considered non-detrimental because current environmental standards require stormwater recharge.

On a motion made by Mrs. Lannon and seconded by Ms. Hilton, it was unanimously voted to grant the variance requested from Section XIII.2.a, of the 'Millis Board of Health, Public an Environmental Health review Regulations' which prohibits excavation within 7.5 feet of maximum groundwater elevation to provide for potential subsurface sewage disposal systems. The proposed reduced groundwater separation is considered non-detrimental because, as noted into the record, it is proposed to service the new building with public sewer.

Mrs. Lannon made a motion to grant the Environmental Health Impact Report (EHIR) for Dover Road Residences. Ms. Hilton seconded the motion. The Board voted unanimously to grant an Environmental Health Permit for construction of the Dover Road Residences.

II. **7:30 p.m. Glen Ellen Senior Residential Community Development -** continued without discussion to the April 2017 Board of Health Meeting.

III. **7:31 p.m. Recreational Marijuana –** On February 14, 2017 Ms. Thissell attended a meeting initiated by Selectman McCaffrey. Representatives from Millis Police, Millis Fire, Millis School Department, Millis Planning Board and the Interim Town Administrator also attended the meeting. Ms. Thissell stated that the purpose of the meeting was to discuss potential impacts of the State's vote to legalize the sale of recreational marijuana on the Town.

Ms. Thissell stated that she has found conflicting reports on the health effects of marijuana use. Ms. Thissell would like the Millis Health Department to disseminate information on the possible health effects of marijuana use to the citizens of Millis. She stated that her research has focused on information provided by the Massachusetts Department of Public Health, the World Health Organization and the CDC. She asked that the Board assist with task of developing a position on the use of recreational marijuana that will be shared with the community.

IV. **7:45 p.m. Lilac House**

Present were:

JiuXing Guo (Andy) and XingHui Dong (Cindy), Owners of Lilac House

Ms. Thissell described the reason for the owners of the Lilac House to be appearing before the Board. Mr. DeLuca, Food Inspector inspected Lilac House on March 6, 2017. His report noted three critical and several non-critical violations. Of particular concern was DeLuca's finding that the Person in Charge (PIC) was not knowledgeable about his duties. Ms. Thissell visited the restaurant on March 9, 2017 to discuss the DeLuca inspection report. During her visit Ms. Thissell concurred that the PIC did not appear to understand the importance of proper warewashing procedures. Ms. Thissell invited the restaurant owners to discuss the violations at the Millis Board of Health's March 13, 2017 meeting.

The restaurant owners reported that the company they had hired to maintain the warewashing machine (dishwasher) recently went through an organizational change. The company had not honored its contracted inspection and maintenance schedule. This has been corrected. The Board reminded Andy and Cindy that it is the restaurant owners' continual responsibility to frequently test the effectiveness of the warewashing machine – in addition to the contractor's periodic inspections.

Ms. Thissell stated that during her March 9, 2017 inspection she observed an employee improperly cleansing an oversized pot in the three-bay sink. The

owners assured the Board that staff would be re-trained on proper manual warewashing procedures.

After discussion the Board directed Ms. Thissell to issue a \$50 fee for each of the three critical violations cited. Any future critical violations will likely cause the Board to close the restaurant.

**Mrs. Lannon moved and Ms. Hilton seconded that the Board of Health meeting on March 13, 2017 be closed at 8:55 p.m. The Board voted unanimously to close the meeting.**

**Next Scheduled Meeting: Monday, April 10, 2017**

Respectfully Submitted,

Vickie Philben

Administrative Assistant

**Documents and Submittals of Meeting:**

- EHIR Draft Permit for Barberry Homes, LLC, Dover Road Residences.
- Email dated March 8, 2017 from Ms. Thissell to the Board Members regarding upcoming Recreational Marijuana discussions.
- Memo dated March 10, 2017 to Lilac House from Ms. Thissell regarding prior food inspections.
- Food Establishment Inspection Report dated March 6, 2017 prepared by Mr. DeLuca.