



Town of Northborough

Board of Health

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Members Present: Chairman Glenn French
Dilip Jain
Deirdre O'Connor
Jamie Terry, Board of Health Agent

The Board of Health met on Wednesday, April 14, 2010, in Conference Room B of the Northborough Town offices. The meeting was called to order at 7:00 PM by Chairman Glenn French. The minutes from the January 13, 2010 and March 24, 2010 meeting were approved as read.

Ms. Terry and the Board informally discussed new construction taking place at 312 Southwest Cutoff. Location of the septic tank is 46' from the existing well on site, Title V requires 50'. The contractor, Ron Aspero of Shrewsbury Homes, was wondering if the Board would consider giving a variance. The Board would not look favorably upon this request and guided the contractor to test the water quality first before relocating the septic tank. A new well may be required if the water quality test results are unacceptable. The septic tank will need to be moved if the water quality tests are acceptable.

Ms. Terry and the Board discussed tobacco regulations. The Worcester Regional Tobacco Coalition is considering 1) banning the sale of tobacco in healthcare facilities which include pharmacies; in Northborough this could affect CVS and Wal-Mart, 2) enforce buffer zones around municipal buildings and healthcare facilities. The Northborough Board of Health is not interested in revisiting these regulations at this time.

Ms. Terry and the Board discussed new tobacco/nicotine products that are currently on the shelves at CVS and Honey Farms. The Board is concerned about these products because they are similar in appearance to candy products and have the potential to appeal to minors. The Board requested that Ms. Terry send a letter to CVS & Honey Farms expressing their concern over the sale of these particular products.

Ms. Terry and the Board discussed a variance request for the property located at 459 Main Street. They are requesting a variance from local regulations to allow a 2' groundwater offset, 4' required. Ms. Terry informed the Board that this is a Presby system and this offset is allowed by Presby if approved by the Board of Health. Also, Ms. Terry informed the Board that this was brought before the Conservation Commission and they required additional soil testing at the site. From the additional testing it was found that the soils were no different and therefore they are limited in what they can do. Ms. Terry advised that this is the most protective solution for this particular property as it will

not disturb the wetlands and it will allow the Engineer to site the SAS to prevent the removal of trees and reduce the required fill up against the sill of the house. Chairman Glenn French made a motion to allow 2' GW offset provided that the system is installed as represented on the plan. Deirdre O'Connor seconded the motion and the vote was unanimous.

Ms. Terry and the Board discussed the property located at 14 East Main Street. The owner of the building, Stu Paskalis, was not in attendance. Ms. Terry informed the Board that she has heard that they are moving forward with the sewer connection, and according to the DPW this should take approximately 1 month for them to complete. Ms. Terry informed the Board that there has been no activity in the establishment; therefore there is no imminent health hazard at this time. Ms. Linda Bock, owner of Beezer's Ice Cream was in attendance tonight. Ms. Bock informed the Board that Beezer's has removed all of their belongings from the building.

Ms. Terry informed the Board that a new septic system has been installed at 215 Crawford Street. Ms. Terry has not signed off on this system yet due to a large tree on the property that is 8' from the new leach area. This concerns Ms. Terry as roots are drawn to water and she informed the Board that the prior system failed due to tree roots. Ms. Terry would like the tree removed, as it was called for on the approved plan to assure that roots will not infiltrate. Mr. Mark Farrell of Green Hill Engineering, Mr. Phillip Backholm and Mrs. Linda Grady-Backholm appeared before the board tonight to have an informal discussion regarding this matter. The Backholm's expressed their interest in appealing Ms. Terry's decision as this particular tree has sentimental and esthetic value to them. Mr. Farrell informed the Board that he doesn't believe this is that big of an issue as it took 40 years to become a problem. He also informed the Board that there is nothing in Title V that addresses offsets to trees. Mr. Farrell has talked to the homeowners at length about this matter and they are aware that this could become a problem in the future. The Board agreed that the Backholm's could leave the tree if they were to put a written disclosure on file with the Board of Health. This written disclosure will serve to inform any potential buyers at some unknown point in the future. The Backholm's were also advised to closely monitor the system.

Mark Farrell of Green Hill Engineering appeared before the Board tonight regarding the property located at 17 Cherlyn Drive. He requested three variances from regulations; 1) sieve analysis due to high groundwater, 2) property line offset (15' provided, 25' required), 3) groundwater offset. Ms. Terry and the Board discussed how the property line offset meets Title V. Ms. Terry informed the Board that every option has been exhausted and the variances are minimal in her opinion. Chairman Glenn French made a motion to allow the requested variances, Dilip Jain seconded and the vote was unanimous.

Mark Farrell appeared before the Board regarding the property located at 363 Whitney Street. He requested two variances from regulations; 1) sieve analysis due to high groundwater, 2) property line offset (15' provided, 25' required). Ms. Terry and the Board discussed how the property line offset meets Title V. Ms. Terry informed the Board that they have really exhausted all options and this is the most protective solution. Chairman Glenn French made a motion to allow the requested variances, Deirdre O'Connor seconded the motion and the vote was unanimous.

Mark Farrell also appeared before the Board regarding the property located at 132-134 Ridge Road. He requested two variances from regulations; 1) groundwater offset, 2) property line offset (7' provided, 10' required by Title V). Ms. Terry informed the Board that this is an emergency replacement as the system is in failure and has been observed breaking out to ground surface. Ms. Terry informed the Board that this is the most protective solution. Chairman Glenn French made a motion to allow the requested variances, Deirdre O'Connor seconded the motion and the vote was unanimous.

Ms. Terry and the Board discussed Engineers installing the septic systems that they design. Ms. Terry has concern over this matter because essentially there are no checks and balances. Ms. Terry advised the Board that this is currently allowed under Title V Regulations. Ms. Terry sought input from the Board as to whether or not she should research what it will take to create a policy here in Town. The Board agreed that they would like Ms. Terry to look in to this matter and report back to them.

Ms. Terry informed the Board that she had received a complaint about Giuseppe's located at 35 Solomon Pond. Ms. Terry advised the Board that Giuseppe's has been allowing restaurant patrons to smoke outside while dining on the deck. Ms. Terry has given the establishment a warning and has educated the owner about State and Local Regulations. Ms. Terry will be monitoring this establishments as well as others in Town that offer outside seating.

Ms. Terry informed the Board that she has received a \$5,000.00 grant to hire a temporary food inspector. Through this grant the Town has hired Ms. Beth Grossman of Framingham to conduct food inspections for 2.5 months; she will be starting on Thursday, April 15, 2010.

Respectfully submitted,

Sarah Roach

Meeting was adjourned at 9:00PM