



TOWN OF NORTHBOROUGH BOARD OF HEALTH

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Glenn French

Dilip Jain

Deirdre O'Connor

The Board of Health met on Tuesday, July 14, 2015 in the Selectmen's Meeting Room of the Northborough Town Offices. The meeting was called to order at 6:00 PM by Chairman Glenn French.

Ms. Terry and the Board discussed working jointly with the Planning Board to consider adopting new regulations pertaining to farm animal guidelines. These regulations would be town wide and address farms animals on lots with less than 5 acres of land. The Board expressed interest and Ms. Terry will work with Ms. Joubert to establish a joint meeting date.

Chairman Glenn French made a motion to approve the June 9, 2015 meeting minutes as recorded, Deirdre O'Connor seconded the motion and the vote was unanimous.

Ms. Terry and the Board discussed the re-inspection that took place at Athens Pizza on June 16, 2015. Ms. Terry reported that Mr. Geris hired a company to come and clean and when that company did not show, Mr. Geris shut the restaurant down for a day and thoroughly cleaned the establishment himself and when Ms. Terry went back she found it markedly improved.

Ms. Terry and the Board reviewed the recent food inspections and Ms. Terry reported and issue at Walmart that she is currently dealing with. Bill Fisher reported finding chicken that appeared to have been frozen, thawed, and re-frozen again. This product was embargoed and Walmart is no longer selling the product. However, Ms. Terry noticed burgers that appeared to have the same issue. Ms. Terry spoke with the Assistant Store Manager and the product was taken off the shelves.

Ms. Terry informed the Board that she will be accompanying the State Inspector for a camp and pool inspection at Teamworks on Thursday, July 16, 2015. Ms. Terry is confident that they are on top of things out there and reports that her inspection was completed on June 3, 2015.

6:05 PM Walter Tomyl of Wally's Landscaping, Inc - Irrigation Well at 30 Main Street

Mr. Walter Tomyl of Wally's Landscaping appeared before the board to discuss the proposed irrigation well installation at 30 Main Street. Mr. Tomyl informed the Board that he is seeking a variance from the property line offset (minimum distance required 35', approx. 10' provided). The Board reviewed the proposed location and discussed the hardships for this particular lot. Ms. Terry informed the Board that the surrounding properties have town water and town sewer so there are no concerns regarding health impacts.

Chairman Glenn French made a motion to approve the well variance request; offset to property line (minimum distance required 35', approx. 10' provided), Deirdre O'Connor seconded the motion. The vote was unanimous.

6:15 PM JJ's Bar & Grill - Restaurant hearing to review inspections dated June 25, 2015

No representative from JJ's was present at tonight's meeting. Ms. Terry and the Board reviewed the inspection reports for JJ's Bar & Grill located at 380 Southwest Cutoff. Ms. Terry and the Board discussed sending him a letter or continuing it to the next regularly scheduled Board of Health Meeting. Ms. Terry will reach out to Mr. Sarro of Sarro Entities to discuss the matter.

6:30 PM - 315 Church Street

Green Hill Engineering did not appear before the Board at tonight's meeting regarding the septic system repair/upgrade at 315 Church Street. Ms. Terry and the Board reviewed the proposed plan. Ms. Terry informed the Board that the current septic system is failing and they are seeking a variance from Local BOH regulations; variance request for groundwater offset (5' required, 4' provided) and foundation offset (20' required, 12' provided). Chairman Glenn French made a motion to allow the requested variances contingent upon Conservation Commission approval, Deirdre O'Connor seconded the motion and the vote was unanimous.

6:45 PM - 6 Mohican Ave

Green Hill Engineering did not appear before the Board at tonight's meeting regarding the septic system repair/upgrade at 6 Mohican Ave. Ms. Terry and the Board reviewed the proposed plan. Ms. Terry informed the Board that the current septic system is failing and they are seeking a variance from Local BOH regulations; variance request for property line offset (street line / 10' required, 8' provided), seasonal groundwater offset (4' required, 3' provided), and offset to wetland (100' required,

55' provided). Ms. Terry did inform the Board that a neighbor originally had concerns regarding the 14' difference in elevation which she addressed informing the neighbor that what they are proposing is more protective than what is currently in the ground. Chairman Glenn French made a motion to allow the requested variances contingent upon Conservation Commission approval, Deirdre O'Connor seconded the motion and the vote was unanimous.

7:00 PM BJ's Wholesale Club - 6102 Shops Way - variance request re: tobacco regulation pertaining to BJ's due to healthcare institution definition

Mr. Graham Luce, General Counsel and Secretary of BJ's Wholesale Club appeared before the Board tonight to discuss a variance request re: tobacco regulation pertaining to BJ's due to the healthcare institution definition. Mr. Luce informed the Board that BJ's does not view themselves as a healthcare institution and requested that the Board consider granting the exception to member only wholesale club members to follow the purpose and intent of the regulation. The Board discussed the purpose and intent of the regulation and reviewed the definition of a healthcare institution. The Board discussed their options: keeping the optical and hearing aid center or keeping the tobacco. The Board indicated that they support a level playing field to control access to minors. Mr. Luce stated that at this time they are feeling that members are being forced to go elsewhere to purchase their tobacco; if everyone in the Commonwealth adopted the regulation then they wouldn't feel this way. The Board has inquired what other Towns have done and Mr. Luce informed the Board that the Town of Dedham has granted a specific exception from their regulations, the Town of Stoughton has allowed the wholesale club exemption and the Town of Medford would not allow any type of relief. Ms. Terry informed the Board that she is aware that the Town of Hudson has adopted similar regulations and BJ's has moved all tobacco products to the part of the store that is in the Town of Berlin. Chairman Glenn French made a motion to continue this matter at the next regularly scheduled meeting in August, Deirdre O'Connor seconded the motion and the vote was unanimous.

The next Board of Health meeting was scheduled for Tuesday, August 11, 2015 at 6PM.

Meeting was adjourned at 7:35 PM

Respectfully submitted,

Sarah Jean