



# TOWN OF NORTHBOROUGH BOARD OF HEALTH

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BOARD MEMBERS PRESENT: Glenn French-Chairman, Deirdre O'Connor, Dilip Jain  
ALSO PRESENT: Stephanie Bacon - Health Agent, Sarah Jean - Administrative Assistant, Christopher McClure of McClure Engineering, George Campbell & Leslie Homzie of 38 Sunset Drive, Beshoy Geris of Athens Pizza.

The Board of Health met on Tuesday, January 12, 2016 in the Selectmen's Meeting Room of the Northborough Town Offices. The meeting was called to order at 6:10 PM by Chairman Glenn French.

## New/Old Business requiring Board of Health Attention

Chairman Glenn French welcomed Ms. Bacon to the Town of Northborough. Ms. Bacon was hired as the new Health Agent and her first day was Monday, December 21, 2015.

Chairman Glenn French made a motion to approve the September 8, 2015 meeting minutes as recorded. Deirdre O'Connor seconded the motion and the vote was unanimous.

Chairman Glenn French made a motion to approve the October 19, 2015 meeting minutes as recorded. Deirdre O'Connor seconded the motion and the vote was unanimous.

Chairman Glenn French made a motion to approve December 8, 2015 meeting minutes as recorded. Deirdre O'Connor seconded the motion with Dilip Jain abstaining due to absence.

6:15 PM      38 Sunset Drive

Mr. Christopher McClure of McClure Engineering presented the preliminary concept plan for a septic system upgrade that will incorporate a proposed one bedroom expansion of the existing three bedroom home on behalf of the homeowners George Campbell & Leslie Homzie who were also present at tonight's meeting. Mr. McClure reports that soil testing has not been conducted on this lot to determine the feasibility of obtaining a variance for the proposed septic system upgrade. Mr. McClure indicated that the residence is currently being served by a functioning cesspool located at the rear of the property. The homeowner would like to replace the cesspool with a conventional system; septic tank, d-box, and trench system as shown on the plan that was presented. In order to accommodate the proposed system they would be seeking relief from the following: 310 CMR 15.211 - Minimum Setback Distance from the SAS and side property line, 310 CMR 15.221(7) the top of the

deepest component is proposed to be approximately 48 inches below ground surface, 310 CMR 15.211(1)[4] setback distance shall be measured from a naturally occurring downhill slope which is not steeper than 3:1 (horizontal:vertical). The existing naturally occurring downhill slope is 2:1. A minimum 15 foot horizontal distance separation distance shall be provided between the top of the 2-inch layer and the adjacent downhill slope. The proposed system has a horizontal distance separation from approximately 11 feet to 20 feet east to west.

Ms. Bacon and the Board discussed proposed plan - one 85' trench is currently being proposed, the limitations of the lot and the hardship of trying to accommodate their growing family. The Board inquired as to if there were alternative locations for a septic system on this particular lot. Possibly incorporating a poly-barrier, investigating alternative systems, or even side yard options. Mr. McClure indicated that the preferred route is the one that has been presented here tonight and asked to take the owners consideration as a hardship.

The Board does not agree that a substantial hardship exists with the size of Mr. Campbells growing family and the size of their existing house. The Board determined that at this time it is not considered a repair of a failing septic system. Ms. Bacon inquired as to if the cesspool has been ever been evaluated? If it is in failure, it would be deemed a repair and an upgraded system would be more protective than what is currently out there.

Ms. Jean stated that generally property owners are advised that they are allowed to replace what is existing in the ground and ask for variances if needed on the repair. If one is looking to upgrade (add bedrooms, etc...) normally this has always been considered new construction and the system would have to comply with local regulations. If they do not comply with local regulations, they have every right to ask for variances but normally they are not granted as a substantial proof of hardship is not able to be shown. Hardship variance requests are reviewed on a case by case basis and typically apply to the conditions of the property and not the property owner.

Mr. George Campbell spoke to the Board about being long time, active residents and stated that there is definitely a cost concern with regards to this project. At this time they are trying to add a system that is environmentally safe and sound. The Board indicated that they were non-adversarial, and simply would like the engineer to go back to the drawing board and provide other options. Ms. Bacon and Board discussed utilizing the side or front yard, which would bring the system further away from the wetlands located in the backyard. Mr. McClure indicated that is something they can work with and will submit any revisions to Ms. Bacon for her to review. Ms. Bacon offered to have them come in to discuss plan revisions prior to the next meeting.

6:15 PM Athens Pizza

The BOH reviewed the additional restaurant audit from Maureen Lee of Food Service Solutions dated December 22, 2015. While there were no critical violations there were non-critical violations showing that cleanliness is still apparently an issue at the establishment. The Board inquired as to if Mr. Geris has a better understanding of what he is required to do? Mr. Geris responded yes and indicated that he is getting much better. Mr. Geris stated that he is very busy, working in a small space and has now hired someone to clean the establishment for him between the hours of 7pm - 10pm depending on how busy he is. Mr. Geris also explained to the Board that he has switched to stainless steel containers, the tables are squared away and the temperatures are all good now. He also reports that he has purchased a bigger refrigerator and will be getting a bigger freezer which should help him a lot.

Ms. Bacon informed Mr. Geris that he should always be thinking about how to make it better, having a plan and a place for everything is necessary or else it becomes unmanageable. The Board is happy to hear about the changes he has made and stressed that they have only been trying to help him.

7:15 0 Church Street

Ms. Bacon informed the Board that the Conservation Agent, Kale Kalloch-Getman, has contacted her regarding this lot on Church Street (area close to West Street) for peer review. Construction of a new single family home is the intent of the applicant to be served by private septic and town water. Ms. Kalloch-Getman reported that soil testing has been done and was observed by Ms. Terry the previous BOH agent. The owners representative, Scott Goddard of Goddard Consulting has previously described the Bordering Vegetated Wetland (BVW) on the lot as a cattail marsh associated with a brook which runs across Church Street to another BVW across the street. A 100' wetland buffer crosses the middle of this particular lot and the FEMA 100 year floodplain and Bordering Land Subject to Flooding (BLSF). Ms. Kalloch-Getman reports both she and the Conservation Commission have concerns regarding the proposed work and restrictive soils found in the area and drainage issues on this particular lot. Ms. Bacon stated that the proposed septic system may have to be raised several feet to accommodate the high ground water table. Prior to the Board of Health meeting, the Conservation Commission requested a written response from the Board of Health on whether or not they would be reviewing the septic design for approval. Ms. Bacon prepared a response stating that the engineer will not formally be submitting the septic design to the Board of Health and the Board of Health will not review said plan until a determination has been made by the Commission on wetland area resources. Ms. Bacon recommended that the Commission request the applicant to hire an outside consultant to review potential restrictive soils and/or wetland resource areas.

The next Board of Health meeting was scheduled for Tuesday, February 9, 2016 at 6PM. Dr. Jain indicated that he will not be able to attend as he will be on vacation.

Meeting was adjourned at 7:30PM

Respectfully Submitted,

Sarah Jean