

**MINUTES**  
**STURBRIDGE**  
**BOARD OF HEALTH**  
**April 6, 2015**

**Present:** Linda Cocalis and Sandra Fallon; Board members.  
Health Agent Alyssa Rusiecki; Lynne Girouard, Clerk.

**Absent:** Richard Volpe, Board member.

Chairman Linda Cocalis opened the meeting at 5:05PM.

**Approval of Meeting Minutes:** (see below).

**Agent's Report:**

Alyssa updated the Board on the Inspections/tasks: Food, Housing Complaints, Nuisances, Title 5 and Well reports and plans, see attached memorandum. Issues noted beyond routine inspections included:

- Sturbridge Coffee House – new opening inspection
- TJ O'Brien's – plans required for major remodeling
- Sturbridge Seafood – plans required for minor modifications

Alyssa has been working with our new part-time Inspector, Wendi Denning, and she is working out very successfully. Annual permits have been sent out but there is a discrepancy about unpaid taxes due and whether the office should hold the permits or not. The on-going housing issues are in various stages of resolve. Alyssa states that we have been able to gain compliance without going to court.

A complaint was received about the Empire Village buffet temperatures. Alyssa will have Wendi will follow-up.

166 Podunk septic and well approved per Board of Health, (see previous meeting).

75 Allen Rd. septic approved.

262 Cedar St., septic approved with conditions, checking on approval conditions with DEP regarding upgrade variance requests.

18 McGilpin Rd., septic in non-compliance, designer Mark Farrell, I/A system without as-built, without inspections, without Operation and Maintenance.

13 Carey Rd., non-compliance I/A system without a contract.

Various septic As-Built reviews. Problems with designer submittals; the Health Agent is retroactively certifying the paperwork, (on paperwork that has been coming in late from the designers) so that applicants may receive their tax credits in the appropriate year for the system installation.

Wal-Mart expanded their food aisles. No request was made for an inspection.

Alyssa will present a presentation at the next meeting concerning the Response Training Conference that she attended.

Regarding Region2 public health emergency management – required courses: ICS 100 & NIMS 700, are on-line and the training is to be completed by the Board of Health members. Our EDS forms are in the process of being updated. Linda Cocalis motioned to nominate Alyssa Rusiecki as the public health Public Information Officer for the Town of Sturbridge, 2<sup>nd</sup> Sandra Fallon (All in favor 2-0).

EDS Manager shall be the Health Agent, Alyssa Rusiecki and Chairman Linda Cocalis will be the alternate in command in the absence of Health Agent; the most important key is get contact information for staff that has access to opening the school(s).

The Tattoo Fest was held at the Host on March 27, 28 and 29th and 80 Artists participated this year for \$8,000.00 in revenue, according to Lynne Girouard, our administrative assistant. Linda Cocalis was thanked by Alyssa for her efforts in managing the inspections while Alyssa was away at a conference.

### **Recycling / Landfill**

The Hangtag program has been completed with exemplary help from our substitute clerk, Judy Rask, and our Senior Tax Abatement workers, Louise Bonnette, Jacqueline Ciance, L. Judy Forcier, who put in extra effort and hours in order to label, stuff, and mail approximately 3600 envelopes for the direct mailing of the new Recycling Center Hangtags. We have been receiving good feedback from the residents about the direct-mailed hangtags.

Alyssa completed the Annual DEP landfill report with assistance from Lynne Girouard, administrative assistant and Irene Condon, technical assistant from DEP.

The following items for the Recycling Center will be discussed at a future meeting:

- RC dividends program
- Compactor quotes

Linda states that the staff at the Recycling Center is not in favor of the adding additional users to the Hazmat Collection; but that including small businesses may be doable. The compactor quotes shall be reviewed; as well as the aforementioned items.

### **Education**

DEP Annual workshop registration approved. Well Workshop Wednesday May 6<sup>th</sup>. This will be very helpful for the review of our current well regulations. The Board approved Alyssa's attendance.

### **Health Inspector's Report**

Wendi Denning submitted her written report for review by the Board. Alyssa reports that Wendi is doing quite well. In Wendi's absence, Alyssa reviews some of the issues on which Wendi and she have been working: the finishing of the second floor at the new location of Sturbridge Coffee House – 407B Main Street, (a ZBA/Planning Board variance may be required as well as compliance with the State and Federal food codes for food storage). Regarding the issues at Admiral TJ O'Brien's (1<sup>st</sup> floor 407 Main Street), Alyssa states that the building owners, Mr. and Mrs. Matt Sosik, have regained access from the previous occupant, and that a preliminary walk-through was conducted and the owners were instructed to have a plan designed and submitted to the Board of Health under the State and Federal food codes before any work could be started, sans ripping up the carpet. We sent a letter to confirm that a plan and application is submitted to us, and we have 30 days to review, and that should be done and completed and approved prior to any work being done.

### **Sunset City Motocross Park**

The Chair repeats that this meeting is being taped by an audio-recorder.

Linda Cocalis and Sandy Fallon are introduced. Linda states that this is in reference to the Charlton Sunset City Motocross Project with various phases. The Sturbridge Board of Health and the Board of Selectmen have received a letter in reference to some residents' (both Sturbridge and Charlton) concerns about the potential noise and other issues surrounding this project.

In attendance: Ronald Charette (Charlton); Sara and Jonathan Sanborn (Charlton); Linda and Peter Faford (Charlton); Anne and Tom Geyer (Sturbridge); Emilie Smeltzer (Charlton); Fran Buffone (Sturbridge); Steven Chidester (Sturbridge); Christopher Lapierre (Sturbridge); and Dimitris Paliyannis (Charlton).

The following handouts were submitted to the Board for their review:

Letter to Selectman Dowling dated March 29, 2015 from the Sturbridge Branch of Residents Against Noise & Traffic

1. Plan
2. Cavanaugh Tocci Associates (CTA): Sound Study for the applicant
3. Harris Miller Miller & Hanson, (HMMH) Inc: Peer Review (of the Cavanaugh Tocci report) for the Charlton Planning Board
4. Residents Against Noise and Traffic in Charlton and Sturbridge: Noise Impact Analysis
5. Bob Brunelle, Charlton, MA: Analysis of Noise Reports from CTA and HMMH

Ann Geyer and Steve Chidester of 203 and 154 Podunk Rd. Sturbridge, MA will speak on behalf of the others present in order to come before the Board to update them on the recent noise hearing concerning the proposed Sunset City Motocross Park in Charlton

and to comment on the applicant's study as well as their own research. Also there are citizens here from Charlton who would also like to be heard regarding a meeting that occurred in Charlton on February 17<sup>th</sup>, 2015. Ann states that, on behalf of everyone present on this issue, she would like to see some coordination between Sturbridge and Charlton regarding the noise issues. A site map is handed out. Steve reviews the phases of the project on the map. Race tracks with a 150-site campground with no water, no sewer, and no electric. Steve goes over the applicant's sound study by Cavanaugh Tocci and Associates, CTA (regarding these highlights: the background sound levels were quite low, around 30-33 dBs. This represents a quiet neighborhood, but taken during a snowstorm. The report stated that the proposed levels are not going over the DEP thresholds. (Ex: "Thermometer - shows neighborhood at 30-33 dBs"). The peer review report from Harris Miller Miller and Hanson, HMMH, however, states that the motorcycle noise will go 40 dBs over that, to 70 db. DEP states that the sound can only go 10 db. The HMMH peer review states that the noise will go over the MASS DEP limits. Steve and the group is concerned that Charlton is moving forward knowing that these noise limits are going above DEP limits. Linda asked if Sturbridge, as the adjacent Town, is mentioned. Steve and Ann stated that only one Sturbridge receptor is mentioned, and that is at 8 Ladd Rd. in Sturbridge based on the CTA report. The peer reviewer, HMMH, admitted that they need to include Podunk Rd as receptors. Ann stated that there are disparities between the peer review, HMMH, and the CTA report that by the time they came to the hearing, CTA stated at the Charlton hearing that my "my report really isn't accurate after all," and they all agreed that some of their numbers were similar, but that their interpretations were different and that they have to go back and do some further revisions, but no one really expects that the peer review to be different." Linda states that we would be interested in knowing what the background will be in Sturbridge, per se, because when we go back to Charlton with our concerns about the health impacts of sound on our, Sturbridge, residents, we have to know where that's going to be. We will ask them to provide information for Sturbridge noise levels, from both the CTA report and the HMMH peer review, because it is potentially coming over the border in Sturbridge. Steve states that the distances that were used to make conclusions were similar to the distances that might be impacted in Sturbridge. Steve states that the location of the track is at a higher location and sound may carry, (a map is distributed). Steve states that there is a fifty foot elevation from top of the track to the bottom of the track; they proposed a sound barrier, but they would have to make it a lot higher. Ann states that the further away you are from the sound barrier, Linda asks if the topographic location will be affected, is Podunk Rd in a 'bowl?' Steve and Ann answered yes. Steve states that the only residence listed as being impacted on the CTA report is 8 Ladd Rd. Ann and Steve noted that there will be an emergency access road off of Ladd Rd. The discussion continues that even one motorcycle being tuned up can produce up to 95 dB in sound. John Sanborn, 12 Jennings Rd., Charlton, states that there are 88 residences on Podunk Rd in Sturbridge; the MIT engineer who did the peer review, stated that the only way to get it down to 35 dB would be to enclose the building. Ann states that they might try to re-design with berms but they may not be effective. John Sanborn states that a sound barrier "wall" may help for one-thousand feet away, but for longer distances, they wall will not be effective. Linda asks what the season will be, and John answers that April – November is reported. Ann stated that she has heard that there will be snowmobile racing in the winter; Linda states that then this may become a full-time year-round operation; 8am – 8pm, for racing, not including the campers' noise. It is re-iterated that the project proposes 150 campsites, with no water, no sewer, and no electricity. Ann states that the only water is on a well to a house that will be considered "the office" for the project. Linda inquires about the outcome of the meeting from the February Charlton Board of Health meeting. It was stated that the Charlton Board of Health could help with "noise and dust, and the sanitation issues at the campsites" but that any potential noise from the generators at the campsites, (due to no electricity) was not taken into account. John states that they were told that no generators would be allowed. Linda asks if the Board of Health in Charlton has made a comment, and she was told that the Charlton Board of Health is still reviewing it. John states that at the last Charlton Planning Board meeting, the question was asked, "When does this go under review by Conservation and the Board of Health?" It was stated that "they have had their say." Linda asks if the Charlton Board of Health had put this on the agenda. It is stated that it will be on for May 5<sup>th</sup> in Charlton. Ann stated that the Charlton Conservation will review it at the Notice of Intent stage. Linda stated that it appears to have wetlands and water bodies in the areas and there may be a potential concern for waste disposal, both sanitary, and operational, from the bikes themselves. John states that the bikes are "two-stroke" engines which are known to be fuel inefficient and a government study showed that approximately 15% of this fuel goes out the environment. Ann states that the Planning Board said that each Department will do their own review; but there was some discrepancy over whether the other Charlton Boards had commented to the Charlton Planning Board. Linda states that the Sturbridge Board of Health can ask various Boards various questions, as well as the DEP, and how can it be studied to see if the noise is coming over the border, and how will it be enforced. Ron Charrette, 205 Brookfield Rd., thanks the Sturbridge Board of Health and Chairman Cocalis for allowing this group of residents to voice their concerns. Ms. Cocalis states that she and the Sturbridge Board of Health do take these potential health issues seriously and that we are willing to work together with the Charlton Board of Health in order to prevent potential health hazards. The EPA may also be another resource.

Ron asks if the Sturbridge Board of Health could set up a joint meeting with the Charlton Board of Health, sometime after May 5<sup>th</sup>. Ann states that there are other things that we could work on together like the landfill expansion. That's another issue. But we should be working together, especially on some of these noisome trade issues that are on the border of Charlton and Sturbridge.

The residents are concerned about not only their ability to enjoy their property without having to be forced inside their homes but also their property values. The example of Hammond Hill, Charlton, MA is discussed. There is further discussion regarding health issues and dust mitigation, as well as wetlands proximity and potential water use within that proximity.

Linda states she will try to contact the Charlton BoH Chairman, to set up a meeting. Ann states that the Charlton Board of Health was helpful in a recent wind turbine case.

Linda appreciates that the residents came to the meeting and she wants to make sure that they have had their concerns heard. The members of the audience thank Chairman Cocalis and the Sturbridge Board of Health.

*(1HR 20MIN – tape marker)*

**Administration:**

Education & conferences: The Board approves the time that the Agent spent in the Preparedness Conference. The Conference fees were paid for by a grant. Linda would like Alyssa to prepare a report and share the information with Chief Ford. Alyssa will be happy to do so, as well as speaking to the LEPC at the next meeting, if their agenda allows. Linda continues the discussion regarding what the other Towns do and how will Alyssa present the information to the other Town officials. The Board members agree that Alyssa does not have to use vacation time for time spent at the conference. Alyssa asks the Board members if they would like to attend the PD emergency management function on May 12<sup>th</sup> and the Private Well Water symposium on May 6<sup>th</sup> so that she does not have to take time away from the office. Linda is not available and this is Sandy's last meeting. The Board approves Alyssa's attendance at the May 6<sup>th</sup> symposium. Alyssa states that she has cancelled attending the annual Community Sanitation DPH workshop so that she doesn't have time spent away from the office for that workshop. Wendi cannot attend that date. Linda agrees that that informational session on Community Sanitation should be skipped. The Board states that there are other seminars that Alyssa usually attends, including the annual conference(s) in the autumn for which she has been able to obtain grant money for the last couple of years.

Alyssa mentions that there is potential emergency management exercise involving the Police Department, but there has not been any specific information distributed beyond the May 12<sup>th</sup> date. There are also Region2 requirements for deliverables.

Linda returns to the discussion of the upcoming well symposium and she is not sure that the potential Well symposium will be useful. The brochure is reviewed again. Linda doesn't know if this is worth going to, let's hold off on it. Linda asks if DEP will be there. There is lengthy discussion about whether the Well symposium that the Western Massachusetts Public Health Association is presenting will be useful. Linda wants Alyssa to tell the Association what we want out of it, and then to hear what Alyssa will be getting out of it and a report to the Board of Health. Alyssa states that if the Board of Health did not instruct her to revise the local well regulations, then she wouldn't ask to attend. Otherwise, she feels that attendance will be useful towards the goal of updating the local regulations. Linda agrees again that Alyssa may attend the symposium.

Vacation day of April 17<sup>th</sup> will be taken. Other vacation days will be determined. Linda states that she will be gone in May and there should be another Board member, like Rich, who will be on call.

Inspector & special agent appointments should be updated at the Town Clerk's office. Alyssa will double-check regarding how often the Board has to re-appoint special agents. This will be confirmed at a future meeting. The increases to the beach fee will also be discussed at the next meeting.

**Correspondence:**

1. 12 Gardner Ave. (Farrell, designer-sanitarian) request for a perc extension. Motion by LC, seconded by SF, to accept perc until May 2016, seconded, APPROVED (2 – 0).
2. 181 Shepard Rd., (Pelletier) request for member's resumes; Town Counsel provided language for the response. The Agent's personnel information is regarded as an exemption per Attorney Winner. The Board's experience shall encompass all of the projects on which they have worked. The Board approves of the draft letter as provided by the Town Counsel.
3. A new contract is sent by Microbac for the beach testing showing a fee increase, but the information needs to be updated and the increased fees shall be discussed as a future agenda item.
4. MRC, Medical Reserve Corps, meeting announcement. Sandy is willing to continue as a member.
5. There is no written variance request from Mark Farrell for his property at 30 Goodrich Rd. at this time, per Linda.

**Concerns from members:**

1. Sandy states that Stop and Shop Pea Pod Delivery/Pick-up service will start April 21<sup>st</sup>. Alyssa states that we have not been notified, although the Board had previously approved the pick-up service but that we would be checking temperatures more frequently than the 5% of the items proposed to be tested by Stop & Shop. There is lengthy Board discussion.
2. Linda states that in preparing to go into Executive Session at a previous meeting on February 11<sup>th</sup>, 2015, which was also being videotaped for the Hearing that evening, someone who viewed the video said that we did not go into Executive Session correctly, but indeed we did conduct the process properly and it is documented not only by our minutes, but also by our audio tape. There was a roll call vote and an Executive Session reference made properly. The video was stopped, appropriately, prior to going in to Executive Session.

**Minutes Review:**

January 5<sup>th</sup>, 2015: LC motion to accept, SF seconded, APPROVED (2 – 0).

February 11, 2015: Hold minutes in abeyance, additional information to be added from Public Hearing comments.

February 11, 2015, Executive Session: LC motion to accept, and to be held confidentiality until legal matter is resolved, SF seconded, APPROVED (2 – 0).

February 23, 2015: LC motion to accept, SF seconded, APPROVED, (2 – 0).

Tonight's Executive Session roll call vote. Motion, (LC), and seconded, (SF), and Roll-call Vote to enter into Executive Session for the purpose, pursuant to MGL 39, §23B, ¶13, to discuss strategy litigation (at 181 Shepard Rd) and to exit regular meeting and not to reconvene in regular session. Sandy Fallon – AYE, Linda Cocalis – AYE; (APPROVED to enter into Executive Session).

**NEXT MEETING:** Thursday April 23, 2015 at 5:30PM

Respectfully Submitted  
Alyssa Rusiecki, Health Agent

**Reviewed: June 15, 2015**

**Approved: LC, RA, RV**