

**BOARD OF HEALTH
MEETING MINUTES**



Sutton Town Hall
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**TOWN OF SUTTON
JANUARY 16, 2014**

Meeting Location: Sutton Town Hall Meeting Room 1C

Members Present: John Silverberg, Dr. Steven Rice, Tammi Marois

Staff Present: Cheryl Rawinski, Judy Bater, James Malley

Absent: William Fredericks, Diane Miller

Guest/s Present: Brian (Butch) Johnson, Atlas Box, Eric Burkett, WWD/White Water, Inc.

Call to Order: John Silverberg called to order the meeting of the Sutton Board of Health at 7:01 PM on January 16, 2014 in Sutton Town Hall Meeting Room 1C.

Minutes: October 8, 2013 and December 10, 2013

Reviewed – Required Board Members not present to sign and approve.

Department Update: Cheryl Rawinski stated that we have been cleaning up the office. She conducted an unannounced inspection at Bagels and Kabobs. No issues. Cheryl stated that she gave a detailed report to the selectman as per their request as Bagels and Kabobs did not submit their common victualler application prior to the dead line. No recurring problems. One violation was that ceiling tiles were stained and needed to be replaced by building management. Steve Rice stated that the source of the staining needs to be determined and resolved. Cheryl will notify the inspector. The stain is not in a food preparation area.

Local Upgrade/Variance: None

Review: Jim Malley Approved Local Upgrades: None

Atlas Box – Industrial Well: John Silverberg stated that Jim Malley, Butch of Atlas Box, Eric of White Water and Beth from DEP all had a meeting at Atlas Box on January 8th. John Silverberg stated that DEP had no issues and does not get involved until 100,000 gallons per week. The main concern of the Board is the 5,000 gallons per week additional water usage and the potential impact on the municipal water and private wells.

Steve Rice stressed his concerns regarding any potential impact on private wells in the area. He is concerned about water pressure and the potential of any wells going dry. He is looking to protect people that are drawing off of the aquifer. Could the drawdown of the well at 500' impact the municipal wells at 40' to 50' located about 700' behind the Atlas Box building. Eric of White Water stated no water pressure impact would result with the municipal water. The water is pumped out. The storage tank provides the water pressure. He can't speak for the private wells. He won't know until Atlas Box does a pump test if any other impact on the municipal water exists. Steve Rice wanted to know if they could determine a base line from the private wells in the area. Eric of White Water stated the private wells are not in his jurisdiction. He also stated that the well water for Atlas box and the well for the public water supply are from different veins. Jim Malley stated that the shallow wells are for municipal water. Cheryl Rawinski asked if DEP had any issues. John Silverberg stated that DEP had no issues and does not get involved at this level. Steve Rice asked if Wilkinsonville Water is doing an assessment and if they have any reservations at this time. Eric stated that they have no reservations.

Please note that Steve Rice had thought Eric was with Atlas Box and he did not realize that Wilkinsonville Water District was being represented by Eric at the meeting.

John Silverberg stated that the well has been moved outside of the building according to the current plans; however, in this situation it was determined at the site meeting that it would be better to have the well inside the building. Additionally, the full gamut of water testing is required as stated in our well regulations.

Butch stated that they will have a reinforced steel wall around the well. We have a material safety data sheet on the chemicals. We have a very green environment. Much easier to monitor and maintain to have the well inside the building.

John Silverberg stated a variance would be required to have the well moved inside the building.

The board reviewed the plans and the requirements/concerns from The Wilkinsonville Water District, that includes a sanitary well seal. Jim Malley stated he assumes this would have slits or a couple of 2" holes on each side to allow liquids to escape. All agreed that this is a good idea.

Jim Malley mentioned we need a list of all chemicals used. Also, we need to discuss enforcement of 10,000 gallons per week and how enforcement would be handled. All agreed that they would need to meter the well and keep a log of that data on a weekly basis.

Steve Rice read the following requirements:

1. Will need to meter the well and keep a weekly log. Not to exceed 10,000 gallons per week.
2. Will move the Well into the building. Plan must be submitted to reflect well head inside the building. Variance Required
3. Will require the full water testing for a potable well in an industrial zone as stated in the Sutton Well Regulations even though this is not a potable well. This is in addition to requirements from Wilkinsonville Water District.
4. Need results of the pump test to make sure no impact on municipal wells exists.
5. Reviewed the minutes from the December BOH meeting, issues resolved with the exception of the above.

Additional requirements, determined from this meeting:

6. White Water/Wilkinsonville Water District must re-submit their requirements to the Sutton BOH and correct typo of word Planning to Board of Health. Add requirement for Sutton BOH water testing for potable water in an industrial zone.
7. Must include a sanitary well seal with holes to allow liquid to escape. Well head needs to be 18" above grade and have containment.
8. Atlas Box is to provide the Sutton BOH with a listing of all chemicals being used at Atlas Box.
9. Atlas Box is to provide the Sutton BOH with quarterly flow records.

MOTION:

Tammi Marois made a motion to grant a variance for a well permit as per the conditions read by Steve Rice as stated above.

2nd Steve Rice

Approved - Conditional upon above requirements.

MOTION:

Steve Rice made a motion to grant a variance to the requirement for a well head to be 20' to the nearest building and we will permit that to be inside the building.

2nd Tammi Marois

Approved - Conditional upon above requirements.

Old/New Business: Jim Malley wanted to discuss new business. As of January 3, 2014 DEP has relinquished all State variances to the local level. Jim Malley had a conversation with David Boyer of DEP. Basically, Title 5 Regulations give you the ceiling height of what regulations should be. The two things that we have to ask ourselves are...Does granting the variance offer the same degree of environmental protection and/or... if not granting the variance, would that cause a manifest of injustice to the applicant. Jim Malley stated that there are still many questions that need to be answered for example if a project is already under DEP enforcement what happens to the enforcement order and can the local authority offer some relief to that order? Many gray areas. Steve Rice feels at a local level we can only be stricter, not less strict. John Silverberg stated we need to ask if a previous enforcement is still valid. Steve Rice foresees that anyone who had a negative action would most likely come to us to circumvent. Jim Malley stated that you can ask for a variance in Title 5 on anything. John Silverberg stated that we need to be careful as any decisions will be precedent setting. We should be consistent and fair. However, John feels this will be better for the residents and far less delays. Jim Malley stated that decisions on tight tanks should be much quicker.

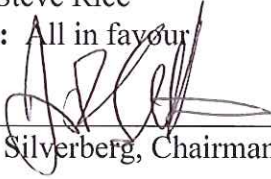
January 16, 2014 BOH Meeting Minutes

Next meeting scheduled for February 11, 2014.

Motion to Adjourn at 7:50 PM: Tammi Marois

2nd: Steve Rice

Vote: All in favour



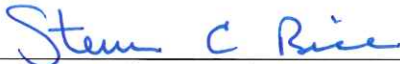
John Silverberg, Chairman

ABSENT

William Fredericks, Vice Chairman

ABSENT

Diane Miller, Member



Dr. Steven Rice, Member



Tammi Marois, Member