



THE BOARD OF HEALTH
MIXTER MUNICIPAL OFFICE BUILDING
120 PRESCOTT STREET
WEST BOYLSTON, MASSACHUSETTS 01583

September 24, 2008 Meeting Minutes

Members present: Robert Barrell, Alan Harris, Celia Hartigan, Mary-Isabel Luddy and Beverly Salate

Also Present: David Eckhardt, Conservation Commission, Town Administrator Gaumond

Chairman Barrell convened the meeting at 7:05 p.m.

Kopelman & Paige Results. Re: September 10, 2008 Court Appearance The Board discussed the results of the court appearance of those residents who were subpoenaed for non compliance with the Mandatory Sewer Connection regulation. A copy of the letter from Kopelman & Paige with the results is attached to these minutes as Exhibit A.

Public Hearing Re: Fee Schedule Chairman Barrell opened the public hearing at 7:15 by reading the notice.

The West Boylston Board of Health will hold a public hearing in compliance with the Town of West Boylston General Bylaws, Article XXIII, Section 1 Circumstances requiring a public hearing and hearing notice, on Wednesday, September 24, 2008 at 7:15 p.m. in the Town Office Building at 127 Hartwell Street in West Boylston to consider a revised fee schedule. A copy of the revised schedule is available for viewing at the Town Clerk's office and in the Board of Health office located at 127 Hartwell Street. This information was published in the Worcester Telegram and Gazette on September 10 and 17, 2008.

There were no attendees at the hearing. After reading the public hearing notice and upon motion of Mrs. Hartigan and unanimous roll call vote, Mr. Barrell, yes, Dr. Harris, yes, Mrs. Hartigan, yes, Mrs. Luddy, yes and Mrs. Salate, yes the new fee schedule was adopted.

Meeting Minutes After review and upon motion of Mrs. Salate and second of Mrs. Luddy it was unanimously voted to approve the minutes of the September 10, 2008 Board of Health meeting.

David Eckhardt. Conservation Commission. Re: 44 Winthrop Street Water Issues Mr. Eckhardt participated in the meeting at the request of the Board to clarify the Conservation Commission's position on the water problems at 44 Winthrop Street. Mr. Eckhardt described how the water naturally travels in that area.

He further stated that the Conservation Commission has no jurisdiction because 44 Winthrop Street is not within 100 feet of a wetland. Their authority comes from the Wetland Protection Act. If there is no wetland, there is no authority.

The homeowner, Mr. Forsberg, feels that the water being diverted to his property from his neighbors on both sides is hurting his leach field. Mrs. Luddy said that Mr. Forsberg will have to prove that the water is impeding his septic system by providing evidence such as a Title 5 inspection. There is a great deal of rain predicted for the coming weekend. Available Board members will do another site walk then. The Board thanked Mr. Eckhardt for his participation and contribution to the meeting.

Richard E. Baldarelli Recycle Request Re: Recycle of Construction Materials The Board received a letter from Town Administrator Gaumond dated September 16, 2008 asking if the Board would need a site determination on a request from Richard Baldarelli regarding permission to recycle construction material at Baldarelli Bros. Inc., 277 Sterling Street. Building Inspector Brodeur was copied on this letter. He responded that the property is in three different zones with Single Family Residence comprising the vast majority. He further quoted the Town Zoning By-laws Section 3.3 A: In a Business District, no building, structure, or premises shall be erected, altered, or used for any purpose injurious, noxious, offensive or tending to reduce property values in the same or adjoining district by reason of emission of light, odor, fumes, dust, smoke, noise

and/or commercial waste or debris nor for any other purpose other than as permitted in Section 3.2, F. Section 3.2, F is the Table of Use Regulations and the proposed use by Mr. Baldarelli does not fall within those provided descriptions. Based on this information, it would appear that the proposed use would not be permitted. Mr. Baldarelli could go to the Zoning Board of Appeals with his request. The Board will wait to see how things progress before getting involved.

Chase/Harris Information Request Re: Portable Toilets Judy Curini of Chase/Harris sent a request to the Board regarding what would be required of them to offer rental of portable toilets in West Boylston. Chase/Harris is permitted to transport and remove septage from West Boylston and portable toilets are covered under this permit.

Outdoor Wood Boilers Mr. Bill Moisuk of 342 Worcester Street sent copies of notices regarding outdoor wood boilers from two towns, Leicester, MA and Woonsocket, RI. The notices are announcements of Board of Health votes to regulate outdoor wood boilers in their communities. Mr. Moisuk had previously sent an email message to the Board regarding a strong smell coming in through his open windows from a neighbor's pellet stove.

Final Address to Be Submitted for Sewer Enforcement Action A list of the final addresses that need to connect to the sewer was reviewed. An email from Town Administrator Gaumond was noted. In this email, Mr. Gaumond tells the Board how he would like to approach this final round of enforcement action.

Bills were paid

Letter from Philippe Chevalier Re: Sewer Connection The Board acknowledged a letter from Philippe W. Chevalier dated September 15, 2008, regarding his plans for connection of all his properties to the sewer. As of this meeting, he has completed work on Church Street but has not begun the Maple or Prospect Street work.

Massachusetts Health Officers Association (MHOA) Conference The schedule for the October 26, 27, and 28, 2008 MHOA conference was noted. The conference is being held in Springfield. Mrs. Luddy and Mrs. Mard will be attending. There is no cost to the Board or Town for either to attend. Mrs. Luddy is employed by MHOA which is covering her costs and Mrs. Mard is a member of the Region II Public Health Emergency Preparedness Commission which is covering her costs.

Town Administrator Gaumond Re: Warrant Article Town Administrator Gaumond joined the meeting to inform the Board that the Warrant Article submitted for Mosquito control would not be included on the Warrant due to budget constraints.

Reservoir Motor Lodge The Board would like to have the report dated June 16, 2008, from the outside consultant who inspected each room of the Reservoir Motor Lodge included in the agenda package for the October 8, 2008 Board meeting.

With no further business to come before the Board and upon motion of Mrs. Salate and second of Mrs. Luddy, it was unanimously voted to adjourn at 8:45 p.m.

Barbara A. Mard

Robert J. Barrell, MPA Chairman
N. Alan Harris, MD, MPH, Vice Chairman
Celia F. Hartigan, RN, MPH
Mary-Elizabeth Luddy, RS
Beverly A. Salate RN, BSN