

**TOWN OF MILLIS
BOARD OF HEALTH
Minutes of Meeting August 17, 2017**

A meeting of the Board of Health was held on Thursday, August 17, 2017 at the Veterans Memorial Building, Room 213, Millis, Massachusetts. Present were

- Kathleen Lannon, Chair
- Bonnie Hilton, Board Member
- JaiKaur LeBlanc, Board Member and
- Barbara Thissell, Director

Ms. Hilton moved and Ms. Lannon seconded that the Millis Board of Health meeting of August 17, 2017 be opened at 7:04 p.m. It was unanimously voted to open the meeting.

Administrative Business:

- I. **June 2017 Minutes:** After review Ms. Hilton moved and Ms. Lannon seconded that the minutes of July 17, 2017 be accepted as presented. It was unanimously voted to approve the Minutes of July 17, 2017.
- II. **Temporary Food Event Permits:** Ms. Hilton presented a document entitled "Guidelines for Safe Bake Sales". The document, prepared by Ms. Hilton, will be posted on the Town's website and provided to organizations requesting a temporary food permit from the Board of Health.
- III. **2017 Flu Clinic/Health Fair Dates:** The Board determined that the Flu Clinics/Health Fair dates would be held October 21 and November 18.
- IV. **Nurse's Report:** The monthly report of the Public Health Nurse was reviewed. The Board stated that it would like to see the Nurse expand her role to include additional community outreach. In addition to expanding her contribution to the Council on Aging, the Board would like the Public Health Nurse to provide information on a public health problem at each of the fall flu clinics. High blood pressure and diabetes are examples of possible topics.
- V. **Stormwater Reviews:** Ms. Thissell informed the Board that she met with the Town Administrator, a representative of the Planning Board and representatives from BETA, Group, Inc. on August 16. The Town Administrator would like Town boards and committees to streamline the stormwater review process for new developments. Current regulations require Board of Health, Board of Selectmen, Conservation Commission and Planning Board review of proposed stormwater management systems. The Town Administrator will be inviting chairpersons of the various boards and committees to attend a meeting that will explore options for streamlining the stormwater review process.

- VI. Tobacco Compliance:** A tobacco sting took place on 7/29. A 19-year old man attempted to purchase cigarettes from each of Millis' tobacco retailers. No Millis retailers sold tobacco to the under-aged patron.

New Business:

- I. Food Recalls:** see attached
- II. Food Inspections and Reviews:**
- A. Mai Cuisine, HACCP variance request granted 7/17
 - B. Glen Ellen re-inspected 7/27
 - C. Black Cow re-inspected 7/27
 - D. Subway inspected 8/3
 - E. Big Beef pre-opening inspection 8/3 and 8/15
 - F. Louie's Pizzeria inspected 8/10
 - G. Mai Cuisine inspected 8/10
- III. Temporary Food Event Permits:** The following permits were issued since the Board's July meeting:
- A. Cliquot Cruise Night, Love has no Color, 8/23
- IV. Septic System Activity:** Ms. Thissell summarized ongoing septic system improvements and/or inspections completed since the Board's June meeting.
- A. 129 Middlesex St soil evaluation completed 7/18
 - B. 81 Norfolk Rd Disposal System Construction Permit (DSCP) issued 7/19
 - C. 10 J. William Heights DSCP issued 7/20
 - D. 17 Dean St passed Title 5 on 7/7
 - E. 148 Orchard St Innovative/Alternative (I/A) system inspected 5/19
 - F. 47 Dover Rd soil evaluation completed 7/27
 - G. 71 Orchard St Certificate of Compliance (CoC) issued 7/27
 - H. 439 Exchange St, CoC issued 8/2
 - I. 6 Sherman Rd, CoC issued septic abandonment 8/2
 - J. 47 Causeway soil evaluation completed 8/3
 - K. 81 Norfolk Rd CoC issued 8/8
 - L. 26 Acorn St soil evaluation completed 8/14
 - M. 66 Orchard St septic tank replaced 8/15, CoC issued 8/16
 - N. 54 Dover Rd DSCP issued 8/16
- V. Complaints**
- A. A patron felt poorly after eating at the Black Cow.

Scheduled Public Hearing & Discussion:

7:05 p.m. – The Regency at Glen Ellen Senior Residential Community Development

Present were:

Melissa Recos, P.E. of BETA Group representing Board of Health;
Scott Miccile, P.E. of Toll Bros.;
Shawn Nuckolls of Toll Bros.;
Ryan O'Rourke of Toll Bros.; and
Austin Turner, Project Manager of Bohler Engineering

The Board reviewed a draft Environmental Health Permit that had been prepared by the BETA Group, Inc.

It was agreed that Environmental Health Permit was being issued for improvements on the Glen Ellen property only. Off-site utility improvements, though necessary, do not fall within Board of Health purview. A condition of approval will be that the buildings will be serviced by municipal sewer and water services. Failure to acquire the necessary municipal connections will void the permit.

It was agreed that the Board of Health or its designated agent must inspect and approve the bottom excavation of all infiltration basins prior to the placement of any fill materials. The Board of Health must be given at least two business days' notice for this inspection.

Ms. Lannon expressed concern that future homeowners and/or maintenance personnel may not be aware of the gas line bisecting the site. If disturbed, the line could cause significant harm. Toll Brothers representatives stated that the existence of the gas line easement will be disclosed within the Agreement of Sale. Toll Brothers representatives further stated that condominium documents prohibit residents from planting trees, installing pools, installing a playground etc. within the entire project property.

On a motion made by Ms. Lannon and seconded by Ms. Hilton, it was unanimously voted to grant the variance requested from Section XII.1 of the Public and Environmental Health Review Regulations and Standards to allow a decrease in the rate and volume of stormwater runoff from the site. The proposed variance is considered non-detrimental because current environmental standards encourage on-site stormwater recharge.

On a motion made by Ms. Lannon and seconded by Ms. Hilton, it was unanimously voted to grant the variance requested from Section XIII.2.a, of the 'Millis Board of Health, Public and Environmental Health Review Regulations' which prohibits excavation to within 7.5 feet of maximum groundwater elevation to provide for potential subsurface sewage disposal systems. The proposed

reduced groundwater separation is considered non-detrimental because, as noted into the record, it is proposed to service the new development with public sewer.

On a motion made by Ms. Lannon and seconded by Ms. Hilton, it was unanimously voted to grant the variance requested from Section XIII.1.f, of the 'Millis Board of Health, Public and Environmental Health Review Regulations' which requires benchmark datum on the plans to be referenced to NGVD datum. The project's topography and benchmarks instead are referenced to NAVD88 which is a more current datum and widely used today.

There being no further discussion, on a motion made Ms. Lannon and seconded by Ms. Hilton, it was unanimously voted to grant this "Board of Health Permit" in accordance with the "Millis Board of Health, Public and Environmental Health Review Regulations and Standards" for construction of the proposed Glen Ellen Senior Residential Community Development at 84 Orchard Street in accordance with the above Findings and Conditions.

7:45 p.m. – New Burial Agent

Mr. Caruso was not able to attend the meeting.

Ms. Thissell informed the Board that Burial Agent, H. Tracy Mitchell has passed away. Mr. Thomas Caruso will be the new Senior Director at Roberts-Mitchell Funeral Services. Ms. Thissell spoke with Mr. Caruso. Mr. Caruso stated that he would agree to become a Burial Agent of the Millis Board of Health.

On a motion made by Ms. Hilton and seconded by Ms. Lannon the Board voted unanimously to appoint Thomas Caruso a Burial Agent for the Town of Millis.

7:50 p.m. – Clyde Brown School Elementary School Project

There were no representatives of the School Project at the meeting.

Ms. Thissell informed the Board that on August 10, 2017 the Town of Millis Board of Selectmen filed an Application for Environmental Health Permit for the replacement of the Clyde Brown Elementary School. With the permit application the Elementary School Building Committee (EBSC) requested the Board of Health waive all application fees. In addition the EBSC requested that the Board of Health hire BETA, Group, Inc. to complete the necessary engineering peer review. BETA will be reviewing the submission for the Board of Selectmen and Planning Board. It is hoped that the use of one review consultant will result in both time and money savings.

It was agreed that, because the Board of Health has the school application in-hand, BETA would be authorized to review the submission on the Board's behalf. The Board noted however that it has not been satisfied with the work completed by BETA to date. A letter will be sent to BETA and the Millis Town Administrator

stating that the Board of Health would like to explore the option of hiring a new engineering peer review consultant for future submissions.

The Board tabled the request that the application fee be waived. The Board will discuss this request during the September meeting. The meeting was continued until the September 11, 2017 meeting.

8:15 p.m. – Local Upgrade Request 47 Causeway St Septic

Present were:

Gregory Bunavicz, P.E. of Borderland Engineering, Inc. representing the homeowner

Ted Turner owner of 47 Causeway St

Mr. Bunavicz described site constraints that will not allow the repair of septic system at 47 Causeway Street without local upgrade approval from the Board of Health. The proposed septic system location is limited by the location of the existing home, flood zone, wetlands and an on-site well. There is no increase in sewage flow proposed.

Mr. Bunavicz detailed construction measures that would be implemented to assure environmental protection. The proposed soil absorption system will be installed one-foot lower than required to prevent stormwater ponding in the vicinity of the system and dwelling. A 40 millimeter liner is proposed around the proposed soil absorption system to prevent lateral flow of effluent from the soil absorption system to the dwelling. Rubber boots will be installed at tank inlets and outlets to prevent sewage from directly entering the groundwater and to prevent groundwater from entering the septic system.

After discussion, Ms. Hilton moved that, pending Conservation Commission approval, the Board approve a local upgrade request to allow the proposed soil absorption system to be constructed approximately 14-feet from the cellar wall in lieu of the 20-foot separation required. Ms. Lannon seconded the motion and the Board voted unanimously to approve the local upgrade request.

Ms. Hilton moved that, pending Conservation Commission approval, the Board approve a local upgrade request to allow the proposed soil absorption system to be constructed three-feet above seasonal high groundwater in lieu of the four-foot separation required. Ms. Lannon seconded the motion and the Board voted unanimously to approve the local upgrade request.

Ms. Hilton moved that, pending Conservation Commission approval, the Board approve a local upgrade request to allow the septic tank and pump chambers to be installed with inlet and outlet invert elevations approximately 10-inches above seasonal high groundwater in lieu of the 12-inch separation required. Ms. Lannon seconded the motion and the Board voted unanimously to approve the local upgrade request.

8:25 p.m. – Local Upgrade Request 129 Middlesex St Septic

Present were:

Gregory Bunavicz, P.E. of Borderland Engineering, Inc. representing the homeowner

Mr. Bunavicz described site constraints that will not allow the repair of septic system at 129 Middlesex Street without local upgrade approval from the Board of Health. The proposed septic system location is limited by the location of the existing home and both on-site and neighboring wells. There is no increase in sewage flow proposed.

Mr. Bunavicz detailed construction measures that would be implemented to assure environmental protection. The proposed soil absorption system will be installed one-foot lower than required to prevent stormwater ponding in the vicinity of the system and dwelling. A 40 millimeter liner is proposed around the proposed soil absorption system to prevent lateral flow of effluent from the soil absorption system to the dwelling. Rubber boots will be installed at tank inlets and outlets to prevent sewage from directly entering the groundwater and to prevent groundwater from entering the septic system.

After discussion, Ms. LeBlanc moved that the Board approve a local upgrade request to allow the proposed soil absorption system to be constructed three-feet above seasonal high groundwater in lieu of the four-foot separation required. Ms. Lannon seconded the motion and the Board voted unanimously to approve the local upgrade request.

Ms. LeBlanc moved that the Board approve a local upgrade request to allow the septic tank and pump chambers to be installed with inlet and outlet invert elevations approximately three-inches above seasonal high groundwater in lieu of the 12-inch separation required. Ms. Lannon seconded the motion and the Board voted unanimously to approve the local upgrade request.

Ms. Lannon moved and Ms. LeBlanc seconded that the Board of Health meeting of August 17, 2017 be closed at 9:30 p.m. The Board voted unanimously to close the meeting.

Next Scheduled Meeting: Monday, September 11, 2017 at 7:00 p.m. in Room 213.

Respectfully Submitted,

Barbara Thissell
Millis Health Department

Documents and Submittals of Meeting:

- Detail Discussion dated August 17, 2017
- Agenda dated August 17, 2017
- Public Health Nursing Report, July 14 to August 17, 2017
- Food Recalls July 18 to August 17, 2017
- Draft July 2017 Meeting Minutes
- Public Nurse Report August 2017
- Guidelines for Safe Bake Sales
- Glen Ellen documents
 - Toll Brothers to Board of Health August 17, 2017 request for variance
 - BETA letter to Board of Health dated August 14, 2017
 - BETA letter to Millis Conservation Commission dated August 10, 2017
 - Draft Board of Health Permit
- Clyde Brown School documents
 - Application for Environmental Health Permit
 - Letter from Nitsch Engineering to Board of Health dated August 9, 2017
 - Letter from Compass to Board of Health dated August 8, 2017
- Variance request from Borderland Engineering 47 Causeway St
- Variance request from Borderland Engineering 129 Middlesex St