

**TOWNSEND BOARD OF HEALTH**

272 Main Street

Townsend, Massachusetts 01469

***Christopher Nocella, Chairman James Le’Cuyer, Vice-Chairman Gavin Byars, Clerk***

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**THURSDAY, May 26, 2022, at 12:00 NOON, EST**

**Board of Health members and staff will meet in the**

**Meeting Room 2 Memorial Hall 272 Main Street**

This meeting of the Board of Health will be held in-person at the location provided on this notice. Members of the public are welcome to attend this in-person meeting. Please note that, while an option for remote attendance and/or participation is being provided as a courtesy to the public, the meeting will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless otherwise required by law. Members of the public with particular interest in any specific item on this agenda should make plans for in-person versus virtual attendance accordingly. **Dial-in number:** 605-313-4278 **Access code:**5843884 PIN **Online meeting ID:** cwalter17

# PRELIMINARIES

* 1. Roll Call
  2. Additions or Deletions not anticipated 48 hours in advance

APPOINTMENT/HEARINGS

* 1. CO-VID Update
  2. 241 Main St. – Septic increase in flow w/ local variance
  3. 22 Main Street – Change of use update
  4. 5 Turnpike Road – Housing update
  5. Septic Regulations Update
  6. Septic permits or other approvals

WORK SESSION

* 1. Invoices
  2. Minutes of April 2022
  3. Recycling Center Update
  4. Future Agenda Items
     1. Stable Regulations Update – Tabled TBD
     2. Next Meeting: **THURSDAY, JUNE 9TH AT 5PM**

**Board of Health Meeting Minutes May 26, 2022**

1. Meeting is opened at 12:02pm. Roll Call James LeCuyer, Gavin Byars present. Chairman Nocella is absent.
2. **Additions deletions:** Move minutes and septic regulation update to next full quorum.
3. **COVID Update:** 5/5 and 5/19 data presented 40 cases 5/5 and 5/19 there are 25 confirmed cases in Townsend. Remember these do not count the home tests. State is 33. Both are rising. Vaccinations rates are not changing much 1% gain. Wastewater data which covers Boston is being watched and indicated a peak on May 18th heading into a decline but with the graduation they anticipate another surge. Children and childcare K-12 school time, camp, and schools had changes. The board requested Rick sent this information though an email. He reminded the Board Nashoba Board of Health is concentrating on the schools and daycares now.
4. **241 Main Street Septic Upgrade**: John Barrett representing the owner Mark Curtis who explained this is a mixed-use property with the chamber system under the parking lot. Reduction from local regulation for stormwater to 10 ft vs. 50 feet. Age of building is biggest issue. Dug 4 test holes. Planning and Zoning have already approved for current 2 floors to be apartments and top floor stays as business. **A MOTION was made by GB and 2nd by JL to approve the septic upgrade and variance to 10ft. Voting 2/0 all in favor. MOTION carries.**
5. **17 Elm Street Septic Upgrade**: Dunkin Donuts system has failed. Use existing grease trap and tank and replace trenches in same location. Dunkin Donuts system was new in 2006. Coffee grinds possibility of cause of failure. 7-10 years is typical lifespan. They do not cook anything just reheating and mostly coffee**. A MOTION was made by GB and 2nd by JL to approve the septic repair at 17 Elm Street. Voting 2/0 All in favor. MOTION carries**.
6. **22 Main Street Change of Use Update**: Sally Thurber appeared before the Board to discuss the progress with her septic upgrades and her recent illegal dumping at the Recycling Center after hours. Sally told the Board last Saturday morning she had a carload full of flattened cardboard boxes. When she arrived at 1pm it was closed and locked. She continues to state its happened before. Several years ago, she had empty cans and bottles and it was stinking up her car for another 3 months in the winter because the center was closed. She’s sorry but it’s a thing about her she likes to recycle so she didn’t care she wasn’t driving around for another two weeks so she dumped it. She then stated she was there at 1:40pm. Carla Hitzenbuhler stated she manages the employees and they do not leave before 2pm. Sally also states there is no recycling dumpsters at the Spaulding School anymore either. Carla asked if anything else was dumped. She admits to a cover of a plastic bin and several paint cans but no trash compactor. Jim says that he would not leave his material at the center if he went, and they were closed. Carla offers to get Sean Pearson on the phone to verify they were there until 2pm. He explained that Paul Walter left at 1:55pm and he is sure he was there until 2pm. Rick explained the ticket process and stated he has never issued any Board of Health tickets before this would be a first for him. Rick also noted on April 4th a letter went out and on the 25th you met with Sally and created a schedule for her to follow to help her come into compliance with her septic. When she did not follow the schedule, an enforcement cease and desist went out until she would get into compliance with the septic tank, but he did has not received a return receipt at this time. Jim asked if she had made any progress. Sally explained she has made a lot of phone calls and has two people she thinks might be able to do it. Gavin reminds Sally to let the Board talk and not interrupt. Gavin asked to look at this as a whole perspective and not an isolated incident by means of the vandalism. He tells Sally he has concerns about her and the Board is trying to help her run her business legally but it’s a slap in the face when she constantly ignores their requests. Jim asked the Board and Sally to continue the discussion with a full Board as the conversation was escalating.  **A MOTION was made by GB and 2nd by JL to continue the discussion to 6/9 Town Hall at 5pm. Voting2/0 MOTION carries.**
7. **5 Turnpike Road Housing Update:** Town Council will be drafting a letter to the tenant, owner and protective services and her attorney if she can identify them, that gives her 14 day to correct the violations and start court proceedings if day 15 has no progress.
8. **Septic Regulations update:** Rick mentioned Todd Melanson talked about the PFAS and he pointed him to a release tracking where reports showed PFAS in the wells at Timberlee Park. On May 2, 2022, the State went back for more tests by the pond by Deluxe Corporation, Harbor trace wells and one location heading towards Timberlee Park. Results are not in yet. They are trying to figure out the direction to which the chemicals are flowing. But when he could not see any direct link to septic’s being the cause, he went to MassDEP, and they came back with actively working on this, but cannot say the septic’s are a source at this time. Jim liked the good news that it’s not looking like it’s the septic. The town will be building a treatment plant to handle this issue. Septics are capable of filtering out most things, but they can’t filter out PFAS. If MassDEP concludes septic’s are a cause, then they can go to them for recommendations for things they can do to attack at source or it’s there and treatment plant is best and only option at that point, but they aren’t there yet. No timetable either. Jim asked for a monthly phone call to DEP to check progress. Rick concluded when he talked to Todd he requested a joint meeting between Selectmen, Water Commissioners and Board of Health. Stan Dillis also appeared before the Board to tell them he’s filing with National Heritage now that the Town Administrator has signed the application. He is also ready to file with the Conservation Commission. He distributed a plan and explained he moved the pad a bit and noted paving 20ft around the pad. Carla asked to take up the existing pavement to make the paving around all even. Board agreed.
9. **Invoices were signed as submitted.**
10. **Future Agenda Items:** Gavin is worried about Sally’s future dates not being met.
11. **A MOTION was made by GB and 2nd by JL to adjourn the meeting.** **Voting 2/0 MOTION carries. MOTION adjourned at 12:59pm.**