



TOWN OF NORTHBRIDGE BOARD OF HEALTH

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The Northbridge Board of Health approved these minutes at a meeting held October 9, 2012

MEETING MINUTES ~ September 27, 2012

This meeting was called to order at 7:00 PM by Mr. Paul McKeon, Chairman. Other members present were Ms. Ann Marie Thompson, Mr. Chris Cella, Mr. Steve Garabedian and Mr. Scott Chase. Jeanne M. Gniadek, Administrator, was also present.

Minutes: Motion made by Mr. Cella to accept the minutes of **August 7, 2012**. Motion seconded by Ms. Thompson; the vote was 4-0 in favor. Mr. Chase abstained.

West Hill Road, Lot #6 – Temporary Trailer Request: Present for this meeting was Mr. Ross Smith. He stated that in accordance with the town bylaws and per the request of Jim Sheehan, the Building Inspector, he requested a permit from the Board of Selectmen to allow him to live in his camping trailer on this lot while he builds his new home. He stated that the trailer has a 30-gallon holding tank for sewer and water but that he also brought in a 250-gallon container for sewer from Northeast Sanitation Corporation out of Northboro. Mr. Smith said that they also brought in a 275-gallon tank for water so they have access to 300 gallons of water. He stated that it is just him and his wife that will be living in the trailer and that the bylaw allows occupying the trailer for up to 4 months. Mr. Smith stated that the septic design plan has been approved and that he has obtained a well permit. He also stated that the lot has been partially cleared and that the driveway is mostly in.

Mr. McKeon expressed his reservations with regard to this request explaining that if he were to come in for a building permit it would be required that the well be drilled and that the water quantity and quality be tested to determine that the water is potable – this would determine whether the lot is even a buildable lot. Mr. McKeon stated that he does not know where Mr. Smith is obtaining his water. Mr. Smith replied that he is getting it from his son's apartment in the Town of Uxbridge. Mr. Cella questioned how he is getting water from Uxbridge to Northbridge. Mr. Smith replied that it is in a 275-gallon tank.

Mr. McKeon stated that this needs to be treated like a building permit and that the Board needs to know that the well is potable. Mr. Chase commented that if the well is not in yet, then he could be living in that trailer for a year. Mr. Smith stated that the bylaw says up to 4 months. Mr. Smith stated that he was not going to be living in a camper in the middle of winter. Mr. Chase stated that if the well doesn't get approved then he won't be able to build a house anyway. Mr. Smith stated that the bylaw doesn't state that he has to have water. The Board noted under §173-47 that special permits shall take into consideration the adequacy of public water and sewerage or the capabilities of the site for on-lot sewerage and water, so the issue of potable water is a matter that this Board needs to consider.

Mr. Cella questioned whether any of the abutters were at the last meeting. Ms. Gniadek informed him that abutters were present but their concerns were not heard since there was no quorum at that time.

When questioned whether the trailer had already been placed on the lot, Mr. Smith replied that it has. He stated that he did not have any other choice.

Mr. Cella questioned whether he looked into staying in a motel or extended living facility. Mr. Smith stated that he lost his house to the bank and that he is trying to get back up on his feet. He stated that they looked into getting an apartment but they want a one-year lease and he also has two dogs. He stated that his trailer is 38-feet long and has 2 bump outs.

Mr. Cella asked when he expects to drill the well. Mr. Smith stated that as soon as GBI gives him the final number and they sign the contract then they will drill the well, possibly another week or two.

Mr. Garabedian asked how you can lose a house to the bank and build another one. Mr. Smith stated that he is buried in real estate right now and that he makes his living off of his investments. He stated that his house in Uxbridge was put up as collateral on a 23-lot subdivision and then the housing market crashed.

Mr. Smith stated that even if the well doesn't pass, he can only stay on that lot for 4 months. He stated that if someone had a fire then it is common that a trailer be placed on the lot when the house is being rebuilt. Mr. Chase stated that that is different since with an existing home, we already know that it is a buildable lot. Mr. McKeon agreed stating that utilities for water and sewer are existing so a fire trailer can easily connect to those utilities.

Mr. Cella asked if Mr. Smith could not stay there until the well is drilled and tested. Mr. Smith stated that he has nowhere else to go. He stated that he realizes that that is not the Board's problem. Mr. Cella stated that he is putting the Board in a position to circumvent things. Mr. Smith stated that he is not doing that in any way, shape or form.

Mr. McKeon expressed his concern that the Board would be setting a precedent by allowing this and not following proper procedure, especially without the well being drilled and tested. Mr. Smith offered to provide the Board with a water test from the water he is getting from Uxbridge. Mr. McKeon stated that he did not understand the Board's position. He stated that water from the tap in Uxbridge may meet water quality standards but then what happens from there to the holding tank and then transporting to Northbridge – does it still meet quality standards. Mr. Chase re-iterated that until that well is drilled and tested it is not known whether this parcel of land is even a buildable lot.

Motion made by Mr. Cella to require that the well be drilled and that the water quantity and quality results be submitted to this Board for review prior to the Board taking any action on this matter. Motion seconded by Mr. Garabedian; the vote was all in favor.

The Board requested that a letter be sent to the Board of Selectmen to advise them that in accordance with §173-47, the Zoning Bylaws of the Town of Northbridge specifically relating to "Special Permits", that the Board addressed under A. (1) (b) the adequacy of public sewerage and water facilities, or the capabilities of the site for on-lot sewerage and water and that until such time that the well is drilled and the water quality and quantity is established, this Board cannot approve the request to place a trailer on the property as it has not yet been determined that the lot is a suitable building lot. Further, the Board asked that the Board of Selectmen be informed that Mr. Smith has already placed the trailer on the property and it is unknown as to whether the structure complies with § 173-47 B (1), which specifically state that structures intended for human occupancy in the West River drainage basin shall be at an elevation above mean sea level of at least 269 feet. Mr. Smith has also not applied for nor obtained a building permit as is required for this trailer.

Douglas Road – Technical Review Meeting Notes: The Board reviewed the Technical Review Meeting notes – no action required by the Board.

Conservation Commission – Notice of Intent – Douglas Road Industrial Realty Trust: The Board reviewed the Notice of Intent for the construction of a storage area adjacent to the Berkowitz Trucking facility on Douglas Road. No action required by the Board.

Conservation Commission – Notice of Intent – New England Power Company: The Board reviewed the Notice of Intent for the construction of a 345-kilovolt overhead electric transmission line and associated support structures within the existing right-of-way. No action required by the Board.

Norfolk Ram Group – Berkowitz Trucking – Semi-Annual Inspection: The Board reviewed the semi-annual transfer station inspection report. No action required by the Board.

Carpenter Estates – Permit Extension Act Letter: This request was withdrawn by the applicant, Heritage Design Group.

Correspondence: The following correspondence was distributed to the Board:

- Letter from Chrysalis Environmental Services – sharps disposal
- DEP Letter (dated August 27, 2012) – Approval of System Modification for Whitinsville Water Company
- DEP Notice – Lead in Drinking Water – Whitinsville Christian School
- DEP Notice – Lead in Drinking Water – W. Edward Balmer Elementary School
- Flu Clinic Flyer

There being no further business, motion to adjourn at 7:50 PM was made by Mr. Garabedian and seconded by Ms. Thompson – all in favor.

Attested by,

Jeanne M. Gniadek, Administrator

List of Documents utilized by Board of Health
Meeting Date: September 27, 2012

- 1) DRAFT Minutes of August 7, 2012 Meeting
- 2) Temporary Trailer Request – West Hill Road, Lot #6
 - a) Email from Sharon Susienka regarding trailer request (dated August 21, 2012)
 - b) Section 173-15 of the Zoning Bylaw
 - c) Email from Sharon Susienka (dated September 5, 2012)
 - d) BOH Memorandum dated September 6, 2012
 - e) Town Manager Memorandum dated September 12, 2012 (Request for Abutters List)
 - f) Letter to Abutter from Northbridge Board of Selectmen dated September 12, 2012
 - g) Abutters Listing
 - h) DPH Regulations 105 CMR 410.000 – Temporary Housing
 - i) Section 173-47 of the Zoning Bylaw
- 3) Memorandum from Community Planning & Development – Douglas Road – Site Plan Review – Technical Review Meeting notes (dated September 6, 2012)
- 4) Notice of Intent Application – Douglas Road
- 5) Notice of Intent Application – New England Power
- 6) Semi-Annual Waste Transfer Station Inspection Report for Berkowitz Trucking – by Norfolk Ram Group (dated September 4, 2012)
- 7) Carpenter Estates
 - a) Letter from Heritage Design Group – Soils Testing (dated September 11, 2012)
 - b) Email from David Doneski, Kopelman & Paige (dated October 21, 2010)
 - c) Permit Extension Act – Frequently Asked Questions (Updated August 8, 2012)
 - d) Letter from Heritage Design – Withdrawal of Request
- 8) Correspondence
 - a) Letter from Chrysalis Environmental Services – sharps disposal
 - b) DEP Letter (dated August 27, 2012) – Approval of System Modification for Whitinsville Water Company
 - c) DEP Notice – Lead in Drinking Water – Whitinsville Christian School
 - d) DEP Notice – Lead in Drinking Water – W. Edward Balmer Elementary School
 - e) Flu Clinic Flyer