



## TOWN OF NORTHBRIDGE BOARD OF HEALTH

Aldrich School Town Hall Annex - 14 Hill Street  
Whitinsville, MA 01588  
Phone# (508) 234-3272 Fax# (508) 234-0821

*The Northbridge Board of Health approved these minutes at a meeting held September 16, 2014.*

### MEETING MINUTES - August 5, 2014

---

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

**Reorganization of Board of Health:** Motion was made by Mr. Garabedian that Mr. McKeon continue to serve as Chairman and that Mr. Cella continue to serve as Vice-Chair. Motion seconded by Mr. Cella; the vote was all in favor. Motion made by Mr. Cella and seconded by Mr. McKeon that Mr. Garabedian serve as Clerk; vote was all in favor.

**Minutes:** Motion made by Mr. Garabedian to accept the minutes of **June 10, 2014**. Motion seconded by Mr. McKeon; the vote was 2-0 in favor. Mr. Cella abstained.

**Beaver Permit Application – Fish Pond – Applicant: Whitinsville Water Company:** Present for this meeting was Mr. Randy Swigor, General Manager of the Whitinsville Water Company (WWC), and Mr. Robert Sims, PE, of CDR Maguire, a consulting firm retained by the WWC to study the impact of the beaver activity on the Fish Pond Dam off Purgatory Road.

Mr. Sims informed the Board that the beaver activity increases the water height behind the dam exposing the dam to additional pressure to overturning, sliding and undermining. Mr. Sims explained each of these in detail in his letter to the WWC which the Board reviewed. Mr. Sims concluded that the raising of the normal water elevation by the beaver activity is detrimental to the safety of the dam.

Mr. Swigor stated that upon receipt of a Beaver Permit from the Board of Health to trap and remove the beavers at this location the WWC would retain the services of a licensed wildlife professional to conduct the necessary work to eliminate this safety issue.

**Motion made by Mr. Garabedian to grant 10-Day Emergency Beaver/Muskrat Permit to the Whitinsville Water Company for property known as Fish Pond located at Purgatory Road. Motion seconded by Mr. Cella; the vote was all in favor.**

**Food Service Establishment Updates:** NEW CHINA PACIFIC: Ms. Gniadek informed the Board that Ms. Gilchrist, Health Inspector, has recently conducted 2 construction check inspections at this facility. The stainless steel has been installed on the walls, new FRP panels have been installed, as well as new flooring. The existing equipment has been steam cleaned. New equipment is expected to arrive this week and Ms. Gilchrist is scheduled for another inspection this Saturday, August 9<sup>th</sup>. In speaking with the owner, they are looking at opening at the end of the month.

DOLLAR TREE: This establishment is locating adjacent to the Ocean Sate Jon Lot. The company has scheduled construction check inspections on August 15<sup>th</sup> and August 22<sup>nd</sup> – they have an anticipated open date of August 30<sup>th</sup>.

SAMMY'S RESTAURANT: This establishment is locating at 2147 Providence Road – the site formerly known as Laurieanne's Restaurant. After receipt of what we thought was the final paperwork for the Plan Review Application for this establishment, Ms. Gilchrist met with the owners on-site. The plan that they submitted does not match the work that is being done. They have been instructed to supply an accurate drawing of the facility noting the location of any new equipment. There is also some concern with regard to sinks that have been re-located as a plumbing permit was not obtained. These matters need to be addressed before approval can be granted for this establishment.

**Region 2 Emergency Preparedness Coalition – Designation of BOH Representative:** At the request of the Region 2 Public Health Emergency Preparedness Coalition, motion was made by Mr. Cella, seconded by Mr. McKeon, that Ms. Gniadek, Board of Health Administrator, continue to serve as the Northbridge representative at the Region 2 Steering Committee meetings; vote was all in favor.

**Certificates of Compliance – Title 5 – Failure to provide to Approving Authority:** The following properties were placed on the Board of Health agenda for discussion as the required Certificate of Compliance documents have not been received in this office. Title 5 regulations (310 CMR 15.021) require that within 30 days of the final inspection of the system, the installer and designer shall certify in writing that the system has been constructed in compliance with 310 CMR 15.000 – this shall be accompanied by an “as-built” plan of the system.

CARPENTER ROAD, 614: Ms. Gniadek informed the Board that Heritage Design Group has contacted the office and that they anticipate submission of the COC within the next few weeks.

QUAKER STREET, 355: Ms. Gniadek informed the Board that the property owner stopped in the office and has indicated that additional cover was needed over the system and that he expects that to be done by the end of this month and that all paperwork will be submitted shortly thereafter.

PROVIDENCE ROAD, 2542: Ms. Gniadek informed the Board that she has not heard from anyone regarding this property. It was also noted that the installer has not submitted his required paperwork for the installation of this system. Ms. Gniadek informed the Board that this property is currently on the market to be sold. Mr. McKeon noted that if the property is sold then they will need the Title 5 certifications.

The Board discussed implementing an office policy to address the delinquency of these submissions such as prohibiting an engineer or installer from further submissions until they are current with required documentation. This matter is to be tabled to the next meeting allowing ample time for the submission of these documents.

**Title 5 – North Tessier Street, 50:** Ms. Gniadek informed the Board that this matter was placed before them as the Certificate of Compliance for this newly installed system was submitted to the office in December of 2013 and had included a request for Local Upgrade. Since the new system increased the number of bedrooms, a local upgrade could not be granted. Despite numerous calls to resolve this issue, the documents remain in the office with no action being taken. Ms. Gniadek informed the Board that the Design Engineer submitted a request for Variance via email today. This matter will be placed on the Board's next meeting agenda for action on the variance request.

**Title 5 – 1962 Quaker Street:** Ms. Gniadek informed the Board that this matter was placed on the agenda for an official declaration of failure as we have received documentation (pumping records) indicating that this system is in failure.

**Motion made by Mr. Cella to issue a Notice of Non-Compliance for this system citing its failure and requiring that the system be repaired within two (2) years per Title 5 regulation. Motion seconded by Mr. Garabedian; the vote was all in favor.**

**Title 5 – 100 Valley Parkway:** The Board reviewed an email from Malley Engineering, Agent to the Board of Health, noting that on July 17<sup>th</sup> he participated in an investigation into the functioning of the septic system at the WalMart Store located at 100 Valley Parkway. Mr. Malley noted that the system is in complete failure and that the tank is being pumped accordingly and that WalMart is looking into either repairing the system or connecting to municipal sewer located in Sutton.

Ms. Gniadek informed the Board that this system has a 30,000 gallon septic tank and a pump chamber. The pumps have been shut down so that effluent is no longer being discharged into the leach field. The tank is now acting as a large holding tank. She further stated that based on water meter readings obtained from the Whitinsville Water Company, the store utilizes between 3 and 4,000 gallons of water per day which would allow the tank to hold 7-10 days worth of effluent. Pumping records received as of this date are as follows:

Wal-Mart PUMPING RECORDS			
Date	Gallons Pumped	Date	Gallons Pumped
24-Jun	5,500	8-Jul	5,500
25-Jun	14,500	10-Jul	5,500
26-Jun	5,500	11-Jul	5,500
27-Jun	5,500	14-Jul	5,500
28-Jun	5,500	15-Jul	5,500
30-Jun	5,500	16-Jul	5,500
1-Jul	3,500	17-Jul	5,500
2-Jul	5,500	18-Jul	1,400
3-Jul	5,500	21-Jul	5,500
7-Jul	5,500	22-Jul	11,000

**Motion made by Mr. Cella to issue a Notice of Non-Compliance for this system citing its failure and requiring that the system be repaired within two (2) years per Title 5 regulation. Motion seconded by Mr. Garabedian; the vote was all in favor.**

**Title 5 – Pollard Road, 304:** Ms. Gniadek informed the Board that she had received a request for a permit to replace the leach field at this property. She stated that when she reviewed the file she noted that the original system was installed in 1995 and that the leach field had already been replaced once in 1999 – in a different location. The Board at that time had required that the engineer conduct confirmatory deep hole testing in the area of the new leach field. There were no records on file that that had been done.

In further discussion with Malley Engineering, Agent to the Board of Health, Mr. Malley agreed that new soils testing along with an engineered plan for the leach field be provided for this work. Ms. Gniadek informed the Board that Mr. Malley has spoken with the engineer regarding this matter and that all parties are in agreement.

**Riverdale Mills – Request for Variance from Plumbing Code:** Present for this meeting was Jim Knott of the Riverdale Mill Corporation.

The Board reviewed the Riverdale Mill request for Variance from the State Plumbing Code under section 10.06 (m)(5) and 10.06 (o)(3) regarding the use of PVC and CPVC piping for a new employee restroom facility.

**Motion made by Mr. Garabedian to take no position on this matter other than to note that the Board of Health is in receipt of this variance request as is required by the Board of State Examiners of Plumbers & Gas Fitters. Motion seconded by Mr. Cella; the vote was all in favor.**

**Quaker Street Landfill Updates:** Ms. Gniadek provided the Board with correspondence received from Peter Losordo (International Carbon Recovery Corp.(ICR)) regarding a Permit Transfer Agreement. This correspondence and accompanying Permit Transfer Agreement was sent to Section Chief James McQuade at the Central Regional Office of the Department of Environmental Protection (DEP). The Permit Transfer Agreement addresses the transfer of a Post-Closure Use Permit granted to Valerie Fagan. ICR has indicated their desire to install a solar electric generation facility at this location.

After review of these documents the Board questioned how this permit could just be transferred as the Board was in agreement that a post closure use permit for the grazing of horses, as had been issued to Ms. Fagan, should have just terminated at the time of the transfer of the deed for this parcel.

**Motion was made by Mr. Cella to send a letter to the DEP questioning the transfer of the Post Closure Use Permit and informing them that the Board of Health does not support the transfer of this permit. Motion seconded by Mr. Garabedian; the vote was all in favor.**

Ms. Gniadek also provided the Board with the report from Sovereign Consulting for the landfill gas vent repair that was attempted. Their inspection and excavation of the area where the landfill gas vent was found on the ground revealed no connecting pipe for the vent. For the other vents, Sovereign placed screen over the openings to prevent blockage of the vents by nesting animals.

**Correspondence:** The following correspondence was distributed to the Board:

- *DPH Information on the 2014 “Together We’re Ready” Campaign*
- *Talent Bank Form – Lani Criasia – applicant for vacancy on Board of Health. Ms. Criasia attended the meeting to introduce herself to the Board.*

*There being no further business, motion to adjourn at 8:20 PM was made by Mr. Cella and seconded by Mr. Garabedian – all in favor.*

*Attested by,*

*Jeanne M. Gniadek, Administrator*

List of Documents utilized by Board of Health  
Meeting Date: August 5, 2014

---

*Town Clerk Re-organization Form*

- 1) DRAFT Meeting Minutes of June 10, 2014
- 2) Fish Pond – Whitinsville Water Company (WWC)
  - a. Application for 10-day Emergency Beaver Permit
  - b. Email (July 29, 2014) from WWC
  - c. Photos
  - d. CDR Maguire Letter dated July 28, 2014
- 3) Update on New China Pacific Restaurant
- 4) Update on Dollar Tree Store
- 5) Update on Sammy's Restaurant
- 6) Region 2 Emergency Preparedness – BOH Representative – Email from Coleen Bolen
- 7) Title 5 – Certificates of Compliance
  - a. Carpenter Road, 614 – Letter to Heritage Design Group (cc'd to Matt Leonard & Neil Smith)
  - b. Quaker Street, 355 – Letter to Andrews Engineering (cc'd to John Morais & Tony Iacovelli) and Andrews Engineering response letter to Board
  - c. Providence Road, 2542 – Letter to Bertin Engineering (cc'd to Kathy Packard & Richard Chafee)
- 8) Certificate of Compliance – North Tessier, 50: Letter to Andrews Engineering (cc'd to Tom Armstrong & Dale Bangma) and Letter from Andrews Engineering requesting a Variance
- 9) 1962 Quaker Street – Pumping Records
- 10) 100 Valley Parkway – Email (August 4, 2014) from Malley Engineering & Pumping Records
- 11) 304 Pollard Road – Email (August 4, 2014) from Malley Engineering
- 12) Request for Variance from Plumbing Code – Riverdale Mills
  - a. Letter from Riverdale Mills dated July 25, 2014
  - b. Copy of State Application for Variance from Plumbing Code
- 13) Quaker Street Landfill
  - a. Letter dated July 2, 2014 from Peter Lasorda regarding Permit Transfer Agreement
  - b. Permit Transfer Agreement
  - c. Sovereign Consulting Report – June 17, 2014 – Landfill Gas Vent Repair
- 14) Correspondence
  - a. Talent Bank Form – Lani Criasia
  - b. MDPH 2014 “Together We're Ready” Campaign Information