



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 March 8, 2016.

MEETING MINUTES ~ February 2, 2016

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

Minutes: Motion made by Mr. Garabedian to accept the minutes of **January 19, 2016**. Motion seconded by Ms. Criasia; the vote was 3-0 in favor. Mr. Cella abstained.

Motion to accept the **November 10, 2015 Executive Session** minutes was made by Mr. Garabedian. Motion seconded by Mr. Cella; the vote was 3-0 in favor. Ms. Criasia abstained.

Motion to accept the **December 15, 2015 Executive Session** minutes was made by Ms. Criasia. Motion seconded by Mr. Garabedian; the vote was 3-0 in favor. Mr. Cella abstained.

Motion to accept the **January 19, 2016 Executive Session** minutes was made by Mr. Garabedian. Motion seconded by Ms. Criasia; the vote was 3-0 in favor. Mr. Cella abstained.

JOEL Rubbish – Failure to renew 2016 Trash Hauler License: The Board reviewed the correspondence sent to JOEL Rubbish regarding his trash hauler license. Mr. McKeon commented that this company has been difficult to deal with in the past. Ms. Criasia questioned what the annual permit fee was. Ms. Gniadek responded that it is \$200 for the year but with the Board's Late Fee Policy the company now owes \$300.

Mr. Cella motioned that the JOEL Rubbish company name be removed from our list of licensed Trash Haulers and that if the Housing Inspector determines that the company still has dumpsters located in town then a ticket under non-criminal disposition shall be issued. Motion seconded by Ms. Criasia; the vote was all in favor.

Permit & License Renewals: Ms. Gniadek informed the Board that the following entities have not renewed their permits for 2016:

Establishment	License Type	Comments
Katalina's Boutique	Limited Retail Food Permit	Several emails - 2/1 response-no longer carrying perishables
Fruitti Frozen Yogurt	Food Service Permit	Closed until Spring
Benny's Ice Cream	Mobile Food	Seasonal business
Construction Junction, LLC	C& D Dumpster Permit	See notice sent 1/28/16
Dirty Girl Disposal	C& D Dumpster Permit	See notice sent 1/28/16

Ms. Gniadek informed the Board that Dirty Girl Disposal contacted the office after receipt of the notice to inform the Board that they do not have any containers in town at this time and that if they place a container here in the future then they will contact the office for a permit.

CPN – Request for BOH to consider regulations governing non-windrow composting facilities:

Present for this meeting were several representatives of the group Citizens for the Preservation of Northbridge (CPN).

Mr. McKeon noted that not all members of the Board were present and asked if CPN wished to postpone discussion on this matter or to continue on. Ms. Criasia stated that she did have some questions. Ms. Criasia asked what the distance was from the property line at the rear of the proposed facility on Douglas Road to the abutters. Ms. Buma replied that it is approximately 500' from the building to the property line.

Ms. Buma stated that the Town's building inspector determined that this (composting facility) was not an allowed use as he determined that it would be a nuisance to the neighbors due to odors. She further stated that the applicant appealed that decision to the Northbridge Zoning Board of Appeals (ZBA) and that the ZBA agreed with the Building Inspector, that it would be a nuisance, and they upheld that determination. Ms. Buma stated that the building inspector set forth his rationale for why he determined it to be a nuisance based on other facilities with complaints from abutters 800 to 1,200 feet from the facility to the property line.

Ms. Criasia questioned where these facilities are located. Ms. Buma replied: Saugus, Nantucket, and Marlboro. Mr. McKeon questioned who the Building Inspector spoke with as he spoke with the Board of Health in Saugus and they informed him that the complaints have decreased since the windrows disappeared, which caused the seagulls to disappear as well.

Ms. Buma stated that neighbors from Saugus submitted letters to the ZBA stating that they are still having problems, although not every day, and that they reside 1,200 to 2,500-feet from the facility. Ms. Buma noted that Town Counsel did inform the Board that they could make reasonable regulations that would still allow these facilities to be located in town.

Ms. Criasia stated that Ms. Buma had previously stated that there were 3 areas in town where these facilities could be located and asked if she could tell the Board the locations. Ms. Buma replied that there are actually 4 spots that could meet their request for a 1,000-foot setback and further noted that with a building envelope size of .26 acres, 493 of these units, as proposed on Douglas Road, could be located in town. Ms. Buma presented copies of zoning areas in town with these 4 locations.

Mr. Cella questioned the status of the original proposal (Douglas Road). Ms. Buma stated that it is under appeal.

Ms. Criasia stated that she contacted the Oregon facility and was told that this is a windrow facility and that after a bad summer they only take residential food wastes, they ceased accepting commercial deposits.

Ms. Buma asked that the Board consider these regulations establishing a 1,000-foot setback which she felt was reasonable. Mr. McKeon agreed that this was reasonable, much more reasonable than the 3,000 foot setback originally requested by CPN.

Mr. Cella stated his concern that a business owner has spent money on this project and if the Board adopts these regulations it is saying that he cannot locate there. Ms. Buma stated that the Town has already said that he cannot locate there because it is a nuisance. The Board questioned whether these regulations would affect this proposal. After review of town counsel opinion, it was noted that the regulation would affect the proposal unless the Board included a grand-fathering clause in their regulation.

The Board discussed postponing any decision on this matter due to the absence of Mr. Chase. Ms. Buma respectfully asked that the Board continue with this matter as they have been patient in meeting with the Board which has had difficulty obtaining a full complement of members at its meetings.

After much discussion, Mr. Cella made motion to adopt the following regulation governing non-windrow composting facilities effective February 15, 2016:

§ 201-26 Commercial non-windrow composting system

- A. Purpose: The Northbridge Board of Health is responsible for the protection of the public health and welfare in the Town of Northbridge. In an effort to protect the public health in the town, the following regulations are promulgated.
- B. Authority: These regulations are promulgated pursuant to the authority granted to the Northbridge Board of Health by MGL C. 111 that Boards of Health may make reasonable health regulations.
- C. Definitions:
Components of the system shall mean any one of the following: a rotating drum, a biofilter, a loading building, a discharge building, a leachate tank.
- D. No person or entity shall install a commercial non-windrow solid waste composting system unless components of the system are installed:
 - 1. At least one-thousand (1,000) feet from a Residential Zone; and
 - 2. At least one-hundred (100) feet from a property line.

This motion was seconded by Mr. Garabedian as he felt that they were reasonable and that they protect the citizens of Northbridge; Ms. Criasia agreed. The vote on the motion was 3-1 in favor. Mr. McKeon voted in opposition.

Spring Annual Town Meeting: Ms. Gniadek informed the Board that they would need to place warrant articles on the Spring Annual Town Meeting (May 3, 2016) to request re-authorization of the revolver accounts for Food Permits and for the Compost Site.

Motion made by Ms. Criasia to place the following articles on the Spring Annual Town Meeting Warrant:

ARTICLE #1

To see if the Town will vote to reauthorize a revolving account pursuant to MGL Chapter 44 Section 53E ½ for the Northbridge Board of Health to receive funds from food related permit fees, plan reviews, and non-compliance fees and to authorize the Northbridge Board of Health to spend these funds to carry out the duties of the Board of Health including but not limited to inspections, plan

reviews, purchasing of supplies and any other administrative related costs, provided however, that the maximum amount of money that can be expended from the account for FY 2017 is \$20,000.

ARTICLE #2

To see if the Town will vote to reauthorize a revolving account pursuant to MGL Chapter 44 Section 53E ½ for the Northbridge Board of Health to receive funds from the sale of compost site stickers and to authorize the Northbridge Board of Health to spend these funds to carry out the duties of the Board of Health including but not limited to the salary of the compost site monitor, the purchase of the supplies and any other administrative related costs, provided however, that the maximum amount of money that can be expended from the account for FY 2017 is \$10,000.

Motion seconded by Mr. Cella; the vote was all in favor.

Annual Recommendation for Inspector of Animals position: Ms. Gniadek informed the Board that the Town Manager would soon be seeking the Board's recommendation for the position of Inspector of Animals as the term for this position runs May 1st through April 30th.

Motion made by Mr. Cella to recommend that Rochelle Thomson continue in this role for the Town of Northbridge. Motion seconded by Ms. Criasia; the vote was all in favor.

Citizens' Forum: *No one present for Citizen's Forum.*

Old & New Business: Ms. Gniadek informed the Board that she had received a question from the **Whitinsville Christian School** regarding the installation of a well for water within a **log sluiceway** that they would like to construct at the school. After much discussion the Board agreed that the well, when constructed, shall be tested in accordance with the Board's well regulations and that the log sluiceway must post a sign that the water is non-potable.

In other business, Mr. McKeon asked that Ms. Gniadek follow up with the **Balmer School** regarding the water quality at the school due to a previous notice of some lead contamination.

Correspondence: The following correspondence was distributed to the Board:

- DEP Notice re: Lead and Copper in Drinking Water at Schools dated January 29, 2016

There being no further business, motion to adjourn at 8:35 PM was made by Mr. Garabedian and seconded by Ms. Criasia – all in favor.

Attested by,

Jeanne M. Gniadek, Administrator

List of Documents utilized by Board of Health
Meeting Date: February 1, 2016

A. Meeting Minutes

- 1) January 19, 2016 DRAFT Meeting Minutes
- 2) DRAFT – Executive Session Meeting Minutes – November 10, 2015
- 3) DRAFT – Executive Session Meeting Minutes – December 15, 2015
- 4) DRAFT – Executive Session Meeting Minutes – January 19, 2016

B. Permit & License Renewals

- 5) JOEL Rubbish – FINAL NOTICE Letter dated January 26, 2016
- 6) List of Permit Holders that failed to renew their licenses for 2016

C. Old & New Business

- 7) CPN – Letter to BOH dated June 3, 2015 & CPN Letter dated February 2, 2016
- 8) DRAFT Warrant Articles (2) – Re-authorizing two revolver accounts for FY 2017 & Memorandum from Town Manager’s office re: deadline for submission of warrant articles
- 9) DRAFT Memorandum to Town Manager with BOH recommendation for appointment of Inspector of Animals for the Town of Northbridge

D. Citizens’ Forum – none

E. Correspondence

- 10) DEP Notice – Lead & Copper in Drinking Water at Schools – January 29, 2016