



TOWN OF NORTHBRIDGE
BOARD OF HEALTH

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The Northbridge Board of Health approved these minutes at a meeting held September 21, 2010.

MEETING MINUTES - August 24, 2010

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. Ms. Ann Marie Thompson and Mr. Scott Chase were absent. Also present was Jeanne M. Gniadek, Administrator.

Minutes: A motion was made by Mr. Cella to accept the minutes of **July 13, 2010**. Motion seconded by Mr. Garabedian; the vote was 3-0 in favor.

Food Scrap Recycling Program Proposal – WalMart Supercenter: This matter had been placed on the agenda in anticipation of additional documentation. As no additional documentation has been received and no one was present to discuss the matter this agenda item was tabled.

Mr. McKeon did inform the Board that he had received phone calls from George Peterson, State Representative, and Ms. Morgan Harriman, DEP Commercial Waste Reduction Planner, regarding the Wal-Mart organics recycling proposal. He informed both parties that the Board was seeking additional information before allowing this proposal to proceed.

Title 5: 821 Quaker Street – Proposed Well Location: Ms. Gniadek informed the Board that she placed this matter back on the agenda as the construction of a well less than 100-feet from a sewage disposal system is in direct violation of the Board's well regulations and despite their vote at the last meeting she did not want to set a precedent for any future well construction.

Local upgrades can be provided for properties when the repair of the septic system, due to lot constraints, requires the placement of the sewage disposal system at 50-99 feet from the *existing* well. She stated she is unaware of any provisions that allow for the construction of a *new* well less than 100-feet from a sewage disposal system.

Mr. John Robicheau was present and informed the Board that he has spoken with Eric Bazzett at Andrews Engineering who has determined a new well location that is satisfactory to the Robicheaus and still meets the 100-foot setback requirement. The Robicheaus were given approval to proceed with the well construction provided that the well is shown on the as-built plan when the septic system is constructed.

Mr. Robicheau questioned whether a new well permit would be necessary as he may change well drillers. The Board informed him that the well permit is fine but that he would need to notify the office of the change before drilling begins.

Title 5: 824 Hill Street – Industrial Holding Tank for Hair Salon: The Board reviewed plans for the installation of an industrial holding tank at 824 Hill Street for a beauty salon.

Motion made by Mr. Cella to approve the plan. Motion seconded by Mr. Garabedian; the vote was all in favor.

A letter of approval is to be sent to the engineer so that he can forward that to DEP as they have final approval on this matter. Letter shall indicate that all plumbing fixtures for the beauty salon will need to be configured so that wastewater from those fixtures is directed to the holding tank.

Citizen's Forum: Second Hand Smoke Complaint – Heritage Park Condominiums: John Krider of 191 Heritage Drive appeared before the Board to seek assistance in addressing the issue of second hand smoke entering his condominium unit from the unit below him. He stated that the condominium association is reluctant to issue a no-smoking policy despite this being a violation of his right to quiet enjoyment of his property. Mr. Krider stated that he wants the town to step in as there is no right to smoke. After much discussion, the Board agreed to send a letter to the condominium association and the occupant of 174 Heritage Drive informing them of the receipt of a complaint regarding second-hand smoke and to provide them with information relative to the health effects from second hand smoke.

Citizen's Forum: Ms. Terry Morrisette, owner of Cherub's Haven – a child day care center located on Providence Road, appeared before the Board to voice her concerns over the condition of the property adjacent to the day care center due to the accumulation of materials on that property. The Board discussed whether this constituted a hoarding situation. Ms. Morrisette was advised to contact the Board of Health office to file a complaint and request an inspection by the health inspector.

Citizen's Forum: Mr. James Gosselin, Health Inspector, appeared before the Board to discuss his salary and to seek an increase in his hourly rate. This matter will be placed on the Board's next agenda for discussion.

Food Service Establishments – Review of Food Establishment Inspection Reports: The Board reviewed food establishment inspection reports conducted in July and August.

Earth Removal Board – Board of Health Representative: The Board reviewed the memorandum from the Town Manager seeking a Board of Health representative to serve on the Earth Removal Board as dictated by the Code of Bylaws Section 7-200. Ms. Gniadek informed the Board that a vote of the Board of Health on February 3, 1998 established that the Vice-Chairman would serve in that position unless the Board votes otherwise. Mr. Chris Cella, as Vice-Chair, stated that he would serve as the Board's representative.

Act Relative to Economic Development Reorganization – Land Use Permit Extensions: The Board reviewed an email from Town Counsel regarding Land Use Permit Extensions which were authorized by the Governor on August 5, 2010 under "Act Relative to Economic Development Reorganization" (the "Act"). Section 173(a) of the Act provides that a two-year extension be applied to any approval concerning the use or development of real property that was in effect from August 15, 2008 through August 15, 2010.

The Board noted that the Act would apply to soils testing and septic plan approvals. The recently denied extension of soils evaluations for Carpenter Estates, under the Act, would provide for automatic extensions for 9 of the 19 lots in this subdivision.

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Ms. Gniadek informed the Board that she has reviewed the septic files and several questions regarding the Act have been submitted to the Town Manager for forwarding to Town Counsel for their opinion. No further action is required at this time. The Board will readdress this matter upon receipt of additional information from Town Counsel.

Spruce Street – Copper Levels in Water: Ms. Gniadek provided the Board with information received from Sarah Blizzard of 44 Spruce Street regarding elevated copper levels in her drinking water along with email correspondence from the Northbridge Building Department and Whitinsville Water Company regarding this matter. This matter was tabled pending possible resolution by other departments.

Correspondence: The following correspondence was distributed to the Board:

- Memorandum: Fall Annual Town Meeting – October 26, 2010
- Certificate of Appreciation from Department of Public Health Commissioner: H1N1 response
- Email Memorandum: Bylaw Review Committee – submission of changes/deletions/additions
- Flyer: Household Hazardous Waste Collection Day – September 18, 2010

There being no further business, motion to adjourn at 8:45 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 24, 2010*

- 1) DRAFT Minutes of July 13, 2010
- 2) No documentation provided.
- 3) Title 5: Quaker Street, 821 – Sewage Disposal Layout Plan; Northbridge Well Regulations (page2)
- 4) Title 5: Hill Street, 824 – Sewage Disposal Layout Plan by Seth L. Lajoie & Assoc. dated 7-25-2010
- 5) Citizen's Forum
 - a) Second Hand Smoke Complaint
 - (i) MAHB Information - Condominium Associations, Boards of Health, What is Second Hand Smoke
 - b) 273 Providence Road
 - (i) Photos from July 2009 depicting collection of debris and construction materials on this property
 - c) Health Inspector – RE: Salary – no documents provided/reviewed
- 6) Food Establishment Inspection Reports
 - a) IQuikstop – Routine: 7-24-2010 & Re-inspection: 8-6-2010
 - b) Brian's Restaurant – Routine: 7-2-2010 (4 Critical Violations) & Re-inspection: 7-17-2010
 - c) Burger King – Re-inspection: 7-16-2010 & Complaint: 7-9-2010 (w/ BOH Complaint Form & photo)
 - d) Crystal Gas – Routine: 7-24-2010 (1 Critical Violation) & Re-inspection: 7-31-2010
 - e) Cumberland Farms – Routine: 7-10-2010
 - f) CVS Pharmacy – Re-inspection: 7-31-2010
 - g) Daily Bread Café – Routine: 8-13-2010 (4 Critical Violations)
 - h) Dominos Pizza – Routine: 7-30-2010 (3 Critical Violations)
 - i) Dotta's Kitchen – Routine: 8-7-2010
 - j) Dunkin Donut @ Hess – Routine: 8-7-2010
 - k) Friendly's Restaurant – Routine: 8-7-2010 (1 Critical Violation)
 - l) Gary's Variety – Routine: 7-10-2010
 - m) Harry's Famous Pizza – Routine: 8-7-2010 (1 Critical Violation)
 - n) Highland Farms – Routine: 8-13-2010 (1 Critical Violation)
 - o) JT Little Coffee Bean – Routine: 7-9-2010 (1 Critical Violation) & Re-inspection: 7-23-2010
 - p) King Jade Restaurant – Routine: 7-17-2010 (5 Critical Violations) & Re-inspection: 7-24-2010
 - q) Northbridge House of Pizza – Routine: 7-10-2010 & Re-inspection: 7-24-2010
 - r) Ocean State Job Lot – Routine: 7-17-2010 & Re-inspection: 7-31-2010
 - s) Pirate's Cove Ice Cream – Routine: 7-2-2010 (1 Critical Violation)
 - t) Shining Rock Golf Club – Routine: 7-31-2010 (2 Critical Violations)
 - u) Subway – Routine: 7-23-2010 (1 Critical Violation) & Re-inspection: 8-13-2010
 - v) Sunshine Haven – Re-inspection: 7-24-2010
 - w) UltraMart Convenience Store – Routine: 7-16-2010 & Re-inspection: 7-30-2010
 - x) Vera's Mini Mart – Routine: 7-16-2010
 - y) Mobile Food Unit – Laura Graves – One Day Event: 7-31-2010
- 7) Earth Removal Board
 - a) Memorandum from Town Manager (August 6, 2010): re-establishment of Earth Removal Board
 - b) Page 4 of the February 3, 1998 Board of Health minutes
- 8) Land Use Permit Extensions
 - a) Email from Kopelman & Paige dated August 6, 2010
 - b) Section 173 of the "Act"
 - c) Email to Town Manager (August 20, 2010): list of Questions/requesting Town Counsel opinion and clarification on the "Act"

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9) Spruce Street:

- a) Email regarding status of Spruce Street water quality issue dated August 20, 2010
- b) Email regarding Electrical Grounding Issue dated October 10, 2008
- c) Fax from Sarah Blizzard with copper water test results

10) Correspondence:

- a) Email: Bylaw Review Committee regarding submission of proposed changes/deletions/additions to Town's bylaws
- b) Certificate of Appreciation for H1N1 response from the Massachusetts Department of Public Health Commissioner (April 2010)
- c) Memorandum from Sharon Susienka, Exec. Asst. to Town Manager, regarding Fall Annual Town Meeting: October 26, 2010
- d) Flyer – Household Hazardous Waste Collection Day – September 18, 2010