

May 13, 2014

Meeting opened: 7:30 P.M., Room 112, Town Hall  
Members Present: William Morris, Chairman; Richard Bringhurst; Lisa Procaccini;  
Richard Beauregard; Mona Bissany  
Members Absent: Carol Johnson; Claire Wolfram

Action on the minutes for the April 22, 2014 meeting was deferred until the May 27, 2014 meeting. A quorum of board members present at that meeting was not met.

Executive Session:

**MOTION:** made by William Morris that the Board of Health convene in executive session to discuss 3 South Lewis Park Drive. **Roll Call: Richard Bringhurst – aye; Lisa Procaccini – aye; William Morris – aye, 7:35 P.M.**

**MOTION:** made by William Morris that the Board of Health close executive session and convene in open session. **Roll Call: Richard Bringhurst – aye; Lisa Procaccini – aye; William Morris – aye, 7:55 P.M.**

Lifeguard Variance Homes at Swan Pond (upper pool):

**Documents/Exhibits – 2014 Lifeguard Variance applications (on file Health Dept).**

The Board of Health reviewed the lifeguard variance request for the Homes at Swan Pond Condominiums upper pool.

**MOTION:** made by Richard Bringhurst that with respect to the request from the Homes at Swan Pond to operate the adults only upper pool without a lifeguard the Board of Health grants the request. The Board of Health requires that the appropriate warning signs are posted around the pool and that the Homes at Swan Pond submit to the Town of Walpole Board of Health a standard indemnification agreement. Seconded by Lisa Procaccini.

**VOTE: 3-0-0 UNANIMOUS.**

Lifeguard Variance-LA Fitness:

**Documents/Exhibits – Lifeguard Variance application (on file Health Dept).**

The Board of Health reviewed the lifeguard variance request for LA Fitness.

**MOTION:** made by Lisa Procaccini to grant LA Fitness a lifeguard variance provided a CPO (Certified Pool Operator) is available on site at all times the pool is open, warning signs are posted around the pool, children under the age of 16 shall not use the pool without the supervision of an adult, barriers are placed in the pool area to prevent pool access during routine maintenance and repair and that a standard indemnification agreement with the Town of Walpole Board of Health is submitted. Seconded by Richard Bringhurst. **VOTE: 3-0-0 UNANIMOUS.**

Lifeguard Variance-Walpole Public Pools:

**Documents/Exhibits – Walpole Aquatics Director's lifeguard variance request.**

The Board of Health reviewed the lifeguard variance request submitted by Aquatics Director Cheryl Cavanaugh, allowing the Recreation Department to hire qualified applicants 16 years of age for the 2014 pool season.

**MOTION:** made by William Morris that the Board grants a variance from its Lifeguard Regulations: Section 691(1) Lifeguard - minimum age requirement 17 years, and allow qualified 16 year olds to be hired for the 2014 season in order to fully staff the pools provided that one lifeguard 17 years or older is scheduled for each shift. Seconded by Richard Bringhurst. **VOTE: 3-0-0 UNANIMOUS.**

Abbreviated Notice Resource Delineation – Lots 12A; 13; 14 Arlington Lane:

**Documents/Exhibits – Abbreviated Notice Resource Delineation (on file Conservation Commission); Deputy Health Agent's summary.**

The Board of Health reviewed the Abbreviated Notice Resource Area Delineation - Lots 12A; 13 and 14 Arlington Lane requesting the Conservation Commission to determine if they have been delineated correctly.

**MOTION:** Made by William Morris that the Board of Health's comments to the Conservation Commission regarding the Abbreviated Notice Resource Area Delineation Arlington Lane are: that it appears that any construction that will take place will necessarily have to be within the 100 foot buffer zone for at least 2 of the 3 lots and that access to all the lots is through the wetlands, therefore, the Board is not in favor of any construction on these lots as presented. Strongly Seconded by Lisa Procaccini. **VOTE: 3-0-0 UNANIMOUS.**

Notice of Intent – Lot D North Street:

**Documents/Exhibits – Notice of Intent (on file Conservation Commission); Deputy Health Agent's summary.**

The Board of Health reviewed for comment the Notices of Intent – Lot D North Street, to construct a single family home, driveway and associated utilities which would be primarily in the 100 foot buffer of isolated wetlands under the Walpole Wetland Protection Act, but not under the Massachusetts Wetland Protection Act.

**MOTION:** made by Lisa Procaccini that regarding the Notice of Intent Lot D North Street the Board of Health is strongly opposed to construction within the 100 foot buffer of vegetated wetlands. Seconded by William Morris. **VOTE: 3-0-0 UNANIMOUS.**

Special Permit Application – 60 Shufelt Road:

**Documents/Exhibits – Zoning Special Permit Application (on file Zoning Board of Appeals); Deputy Health Agent's summary.**

The Board of Health reviewed for comment the Special Permit Application – 60 Shufelt Road, to demolish an existing one story house and replace it with a new two story home on the existing nonconforming lot. The existing house has an on-site septic system.

**MOTION:** made by William Morris that while the Board of Health is in favor of the construction, before the Health Department can sign off on the project, the existing septic system will have to be abandoned and a new septic plan approved, or if available, the proposed house is connected to town sewer. Seconded by Richard Bringhurst. **VOTE: 3-0-0 UNANIMOUS.**

Board of Appeals Variance - 8 Emily Lane:

**Documents/Exhibits – Zoning Variance Application (on file Zoning Board of Appeals); Deputy Health Agent's summary.**

The Board of Health reviewed for comment a request for variance to allow an already installed in ground pool to be 3.7 feet from a side yard lot line.

**MOTION:** made by William Morris that the Board of Health has no comment. Seconded by Richard Bringhurst. **VOTE: 3-0-0 UNANIMOUS.**

Revised Site Plan – 564 Main Street, Rockland Federal Credit Union:

Documents/Exhibits – Revised Site Plan (on file Planning Board); Deputy Health Agent's summary.

The Board of Health reviewed for comment the Revised Site Plan which addresses minor changes requested by the Town Engineer and Planning Board.

**MOTION:** made by Richard Bringhurst that with respect to the request for comment from the Planning Board the Board of Health has no concerns with the Revised Site Plan – 564 Main Street. Seconded by Lisa Procaccini. VOTE: 3-0-0 UNANIMOUS.

Definitive Subdivision Plan – Olmsted Estates:

Documents/Exhibits – Definitive Subdivision Plan (on file Planning Board); Deputy Health Agent's summary.

The Board of Health reviewed for comment the Definitive Subdivision Plan Olmsted Estates as well associated waiver requests concerning the horizontal and vertical scale of the plan and the length and width of the proposed streets.

**MOTION:** made by William Morris that the Board of Health's comments regarding the Definitive Subdivision Plan Olmsted Estates is that we have no issue with granting waivers for the scale of the drawings, road length and road width. However, the Board hopes that the developer will include in the plan street lights and sidewalks to promote healthy outdoor activities throughout the year. Seconded by Richard Bringhurst. VOTE: 3-0-0 UNANIMOUS.

Special Permit - Walmart:

Documents/Exhibits – Special Permit Application (on file Planning Board); Deputy Health Agent's summary.

The Board of Health reviewed for comment the Special Permit Application - Walmart to store up to twenty storage containers for seasonal storage (9/1-2/1) each year. The containers would house goods being sold on layaway.

**MOTION:** made by Lisa Procaccini that the Board of Health has no comment to the Planning Board regarding this Special Permit Application. Seconded by William Morris. VOTE: 3-0-0 UNANIMOUS.

Special Permit – TeeT's Restaurant:

Documents/Exhibits – Special Permit Application (on file Planning Board); Public Hearing Notice.

The Board of Health reviewed for comment the Special Permit Application – TeeT's Restaurant to allow live music at the restaurant on a regular basis.

**MOTION:** made by William Morris that the Board of Health has no comment. Seconded by Richard Bringhurst. VOTE: 3-0-0 UNANIMOUS.

New Business:

Board of Health 2014 Summer Schedule:

**MOTION:** made by William Morris that the Board of Health will meet once in the months of June, July and August 2014: June 10<sup>th</sup>, July 22<sup>th</sup> and August 26<sup>th</sup>. Pursuant to past practice, the Board of Health delegates to the Health Director the authority to approve all routine matters that may come before her so that they are not delayed because of our abbreviated summer schedule. Seconded by Richard Bringhurst. VOTE: 3-0-0 UNANIMOUS.

Old Business:

Medical Marijuana Dispensary Regulations:

William Morris said that the Board of Health has deferred taking action on these important new regulations governing Medical Marijuana Dispensaries in the Town of Walpole pending the presence of a full Board. Unfortunately, given the fact that the likeliness of that happening over the next few meetings is questionable, Mr. Morris recommended voting on the matter tonight so that regulations are in place when the Medical Marijuana Dispensary Moratorium expires in June.

**MOTION:** made by Lisa Procaccini that the Board adopt the Regulations of the Walpole Board of Health, Regulating the Sale of Medical Marijuana in the Town of Walpole, effective May 23, 2014. Seconded by Richard Bringhurst. VOTE: 3-0-0 UNANIMOUS

Synthetic Drug Regulations:

Board of Health members reviewed the proposed Synthetic Drug Regulations for the Town of Walpole. A minor change was made to the draft and William Morris asked that a public hearing on the matter be scheduled for the June 10, 2014 Board of Health meeting.

Household Hazardous Waste Day Collection:

The Health Director updated Board members about the annual Household Hazardous Waste Day collection. Ms. Chapell said the help from resident volunteers as well as Siemen's Green Team was as always greatly appreciated. Ms. Chapell said attendance to this year's collection was down slightly but that all who attended expressed gratitude to the Town and its volunteers for providing the service.

Correspondence:

Conservation Commission Order of Resource Area Determination – North Street

**MOTION:** made by William Morris to adjourn. Seconded by Richard Bringhurst.  
VOTE: 3-0-0 UNANIMOUS.

Meeting Closed: 8:30 P.M.