

May 26, 2015

Meeting Opened: 7:32 P.M., Room 112, Town Hall
Members Present: William Morris, Chairman; Carol Johnson, Clerk; Richard Bringhurst; Richard Beauregard; Mona Bissany

Others Present: John Glossa, P.E. – Septic Variance 108 Cedar Street
Dr. Lester Hartman & students – Tobacco Control Regulations

MOTION: made by Carol Johnson that the Board of Health approve the minutes of the May 12, 2015 meeting as amended. Seconded by Mona Bissany. VOTE: 5-0-0 UNANIMOUS.

Local Upgrade Approval Septic Variance – 108 Cedar Street:

Documents/Exhibits – Glossa Engineering variance request dated 5/14/15 & Proposed Septic Design Plan (on file Health Dept.).

John Glossa addressed the Board of Health regarding the septic upgrade variance request for the failed septic system at 108 Cedar Street.

MOTION: made by Richard Bringhurst that regarding the request for local upgrade approval for the failed septic system at 108 Cedar Street the Board of Health grants the following variances: 310 CMR 15.211 – Minimum setback distances – allow the soil absorption system to be less than 20 feet (17 feet) from a cellar wall; 310 CMR 15.104 and 105 – Percolation Testing – allowing the soil absorption system to be designed and installed without a percolation test as allowed by DEP policy. Seconded by Richard Beauregard. VOTE: 5-0-0 UNANIMOUS.

Variance Modification Request – 44 Bubbling Brook Road:

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

The Board of Health reviewed for comment the request to modify language of the original variance request for 44 Bubbling Brook Road.

MOTION: made by William Morris that the Board of Health's comments to the Zoning Board of Appeals regarding the Variance Modification Request is to reiterate comments previously made that the Board is opposed to dividing the current lot into 3 buildable lots because of the impact it would have on the wetland area and construction within the 100 foot buffer zone. Seconded by Carol Johnson. VOTE: 5-0-0 UNANIMOUS.

Special Permit Application & Variance Request – Eastover Road:

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

The Board of Health reviewed for comment the Special Permit Application & Variance Request – Eastover Road, to allow 12 multifamily units to be constructed less than the required 50 feet from existing residential homes.

MOTION: made by Mona Bissany that the Board of Health's comment to the Zoning Board regarding the Special Permit Application & Variance Request – Eastover Road is that the Board has no specific concerns at this time. Seconded by Carol Johnson. VOTE: 5-0-0 UNANIMOUS.

Notice of Intent Barberry Homes – 272 Moosehill Road:

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 – 272 Moosehill Road, to construct 174 apartment units with 25% of those deemed affordable units on a 14.33 acre parcel.

MOTION: made by Richard Beauregard that regarding the Conservation Commission's request for comment on the Notice of Intent – 272 Moosehill Road, the Board of Health after prior review of the plan commented that during construction a contact person is available and that lighting and bike racks are included on the plan. The Board of Health would like to see those requests followed through on, as well as, moving the trash and recycling area or breaking it into different locations, in order to accommodate the facility better and keep it out of the hundred foot buffer zone. Seconded by Mona Bissany.

VOTE: 5-0-0 UNANIMOUS.

Notice of Intent – Superfund Site South Street:

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

The Board of Health reviewed for comment the Notice of Intent – South Street Superfund Site, to demolish existing building as part of the ongoing Superfund Site clean-up. All work will be closely monitored and follow safe demolition requirements.

MOTION: made by Carol Johnson that the Health Board's comment to the Conservation Commission regarding the Notice of Intent – Superfund Site South Street is that we have no concerns. Seconded by Richard Bringhurst. VOTE: 5-0-0 UNANIMOUS.

Lifeguard Variance Hilltop Preserve:

Documents/Exhibits – 2015 Lifeguard Variance applications (on file Health Dept.).

The Board of Health reviewed the lifeguard variance request for Hilltop Preserve Apartments to allow 1 lifeguard per 25 bathers.

MOTION: made by Mona Bissany that the Board of Health grants a variance from the Town of Walpole Pool Regulations and allows one lifeguard per 25 bathers contingent on keeping an accurate count during the hours of operation of the number of people in the pool. Seconded by Richard Beauregard. VOTE: 4-1-0.

4 - in favor – William Morris; Richard Bringhurst; Richard Beauregard; Mona Bissany
1 - opposed – Carol Johnson

New Business:

Board of Health 2015 Summer Schedule:

MOTION: made by William Morris that the Board of Health will have an abbreviated summer schedule meeting only once per month in June, July and August: June 9th, July 14th and August 11th, and that during the abbreviated schedule the Board of Health grants to the Health Director the authority to approve all routine matters that may come before her in order to expedite those requests during the Board's summer hiatus. Seconded by Richard Bringhurst. VOTE: 5-0-0 UNANIMOUS.

Old Business:

Tobacco Control Regulations:

Board of Health members discussed the proposed tobacco control regulations and the comments made by residents at the May 12, 2015 public hearing. Board members agreed that their priority is to protect public health and that socially distancing teenagers from tobacco products and nicotine delivery devices by increasing the purchase age for those products to 21 is an effective measure and that studies have found that the best way to curb adult smoking is to prevent/delay youth smoking. Mona Bissany stated: that based on recent research and statistics showing that 90% of smokers started smoking by age twenty and in an effort to try to delay the age of initiation of nicotine use leading to a lifetime addiction among our adolescent and young adults significantly affecting the development of their brains, the Board of Health strongly believes that an amendment to the Town of Walpole Tobacco Regulations will have a significant public health effect as many lives will be saved by reducing tobacco use and second hand smoke exposure.

MOTION: made by Mona Bissany that the Board of Health adopts the amended Town of Walpole, Board of Health Regulation Restricting the Sale of Tobacco Products and in doing so raises the purchase age of tobacco products and nicotine delivering devices from age 19 to 21, effective July 1, 2015. The Board of Health also adopts the Town of Walpole, Board of Health Regulation Prohibiting Smoking in Workplaces and Public Places, effective July 1, 2015. Seconded by Carol Johnson. VOTE: 5-0-0 UNANIMOUS.

Correspondence:

Coalition for Responsible Retailing (CRR)

To Town Clerk – Islamic Society of Boston and Al Marhama Islamic Burial Services

MOTION: made by Carol Johnson to adjourn. Seconded Mona Bissany. VOTE: 5-0-0 UNANIMOUS.

Meeting Closed: 8:25 P.M.

CLERK