

September 10, 2013

Meeting opened: 7:31 P.M., Room 112, Town Hall
Members Present: William Morris, Chairman; Carol Johnson, Clerk; Richard Bringham
Members Absent: Claire Wolfram; Lisa Procaccini; Richard Beauregard
Others Present: Eugene Sich – 507 Main Street

MOTION: made by Richard Bringham that the Board of Health accepts the minutes of the August 13, 2013 meeting as amended. Seconded by Carol Johnson. VOTE: 3-0-0.

Variance Request Dumpster Regulations – 507 Main Street:

Mr. Sich addressed the Board of Health requesting a variance from the minimum 25 foot placement from a public way for his dumpster located at 507 Main Street. Mr. Sich said that the location of the concrete pad and dumpster, which have been in place at his apartment building for over 30 years, was chosen because of its easy access for his tenants and the solid waste truck. Mr. Sich said that the dumpster is kept in good condition and emptied regularly. He also said that moving it back to meet the placement requirement would not address this complaint regarding its visibility from the street. Mr. Sich asked the Board of Health to consider approving the installation of a privacy fence around the dumpster as an alternative to moving it. The Health Director confirmed that this is the first complaint received about the dumpster at 507 Main Street and that a recent site inspection by Deputy Health Agent, Gail Nixon, had no concerns about its condition or location.

MOTION: made by Carol Johnson that regarding the existing dumpster located at 507 Main Street the Board of Health approves the installation of a good quality privacy fence that will conceal any view of the dumpster from the street.

MOTION AMENDMENT: made by Richard Bringham that the Board of Health approves the variance request and allows the existing dumpster to remain where it is currently located. Seconded by William Morris. VOTE: 3-0-0 UNANIMOUS.

Notice of Intent – Lot 9 Warren Lane:

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 to install an in ground pool, cabana and relocate a storage barn within the 100 foot buffer of vegetated wetlands.

MOTION: made by William Morris that the Board of Health's comments to the Conservation Commission regarding the Notice of Intent Lot 9 Warren Lane are: the Board is not in favor of any new construction in the 100 foot buffer of vegetated wetlands. The Board requests that if the Conservation Commission approves the Notice of Intent that the usual safeguards are included in the Order of Conditions that require the pool design to include drains around the pool to prevent pool runoff from entering into the wetlands; that only de-chlorinated pool water is discharged from the pool when draining and that a secure secondary containment unit in the storage barn (such as a cabinet) is used for storage of all pool chemicals. Seconded by Richard Bringham. VOTE: 3-0-0 UNANIMOUS.

Notice of Intent – 10 Shady Lane:

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 to construct a single family home and associated grading and utilities portions of which are located in the 100 foot buffer of vegetated wetlands.

MOTION: made by Richard Bringhurst that with respect to the request for comment from the Conservation Commission regarding the Notice of Intent 10 Shady Lane, the Board is not in favor of any new construction in the 100 foot buffer of vegetated wetlands and has no other specific complaints about the plan. Seconded by Carol Johnson. VOTE: 3-0-0 UNANIMOUS.

Notice of Intent – 71 Millbrook Avenue:

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 to construct a single family home, associated grading and utilities with a majority of the site work in the 100 foot buffer of vegetated wetlands.

MOTION: made by Richard Bringhurst that with respect to the request for comment from the Conservation Commission regarding the Notice of Intent 71 Millbrook Avenue, the Board is not in favor of any new construction in the 100 foot buffer of vegetated wetlands. Seconded by Carol Johnson. VOTE: 3-0-0 UNANIMOUS.

Abbreviated Notice of Resource Delineation – 272 Moose Hill Road:

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

The Board of Health reviewed for comment the Abbreviated Notice of Resource Delineation.

MOTION: made by Carol Johnson that the Board of Health has no comment at this time. Seconded by Richard Bringhurst. VOTE: 3-0-0 UNANIMOUS.

Zoning Board of Appeals – Washington Green:

No action taken application approved by the Zoning Board of Appeals August 14, 2013.

Planning Board Public Hearing (continued) – Tall Pines Subdivision:

No action taken Public Hearing held September 5, 2013.

Food Protection Variance – Texas Roadhouse Restaurant:

The Board of Health reviewed a variance request from Texas Roadhouse asking to store single serving pads of butter at room temperature for up to one hour before serving. The Health Director said that under Food Code Regulations potentially hazardous foods (PHF) may be stored outside temperature control up to four hours before it must be discarded.

MOTION: made by William Morris that the Board of Health will allow Texas Roadhouse to store butter outside temperature control with the condition that it will not be stored for more than one hour and that any unused portions will be discarded after that period of time. Seconded by Carol Johnson. VOTE: 3-0-0 UNANIMOUS.

New Business:

Medical Marijuana Dispensary Regulations:

The Health Director informed the Board of Health that Attorney Cheryl Sbarra, Massachusetts Association of Health Boards, will be present at the September 24, 2013 meeting to review with the Board the draft regulations. Ms. Chapell also said that at a recent zoning meeting for potential dispensaries in Walpole an adult entertainment zoning was decided.

Walk to School Day:

Ms. Chapell said that the annual Walk to School Day is scheduled for October 4, 2013, Old Post Road School.

Old Business:

Public Health Technician:

Ms. Chapell said that two candidates have been interviewed for the position so far and that the Town Administrator asked to interview the two most qualified candidates for the position before any selection is made.

Social Host By-Law:

Ms. Chapell said that the Social Host By-law has been approved for the Fall Town Meeting Warrant and is gaining support from the community.

Alcohol Sale Regulation:

Ms Chapell said that the Coalition for Alcohol and Drug Awareness Sub Committee met with the Board of Selectmen, at their August 27, 2013 meeting regarding the proposed alcohol sale regulations which were taken under advisement at that time.

Correspondence:

Board of Health Response – Bill #H732

MOTION: made by William Morris to adjourn. Seconded by Carol Johnson VOTE: 3-0-0 UNANIMOUS.

Meeting Closed: 8:10 P.M.