

May 9, 2023

Meeting opened: 7:35pm, via Zoom conference call.

Members Present: Richard Beauregard, Chair; Rachel Jackson, Clerk; Mona Bissany; Stephan Schaub; Danielle Munro

Also present: Ryan O'Malia, homeowner 20 Old Farm Rd; Kenny Patel, Home2Suites; Frank Gallagher, Engineer for 3 Coach Rd; Robert Bartucca; Jenna Federer, Rita Mienscow, homeowner of 39 Beth Rd; John Martin, neighbor of 39 Beth Rd; Ann Walsh, neighbor of 39 Beth Rd; Tom Waitekus; Kristin Burg

Members Absent: Brenda Healy; Jeffrey Rosenspan

Approval of Minutes from April 18, 2023 Board of Health meeting:

MOTION: Made by Mona Bissany that the Board of Health approves the minutes as written. Seconded by Stephan Schaub. **VOTE: 3-0-1 UNANIMOUS.**

Animal Permit- 39 Beth Rd

Documents/Exhibits

The Board of Health reviewed an animal permit application to house 6 chickens at 39 Beth Rd. Henry Cerqueira inspected and approved.

MOTION: Made by Mona Bissany that the Board of Health approves the animal permit. The Board reminded the applicant that the town of Walpole does not permit roosters. Seconded by Stephan Schaub.

VOTE: 4-0-0 UNANIMOUS.

Animal Permit- 20 Old Farm Rd

Documents/Exhibits

The Board of Health reviewed an animal permit application to house 12 chickens at 20 Old Farm Rd. Henry Cerqueira inspected and approved.

MOTION: Made by Stephan Schaub that the Board of Health approves the animal permit. The Board reminded the applicant that the town of Walpole does not permit roosters. Seconded by Mona Bissany.

VOTE: 4-0-0 UNANIMOUS.

Septic Variance- 3 Coach Rd

Documents/Exhibits

The Board of Health reviewed a septic variance request submitted by Engineer, Frank Gallagher.

MOTION: Made by Richard Beauregard that the Board of Health understands the need for the variance and approves the plan as proposed. Seconded by Mona Bissany. **VOTE: 4-0-0 UNANIMOUS.**

Lifeguard Variance-Swan Pond

Documents/Exhibits

The Board of Health reviewed a lifeguard variance request submitted by the Swan Pond property manager, Heidi Valle.

MOTION: Made by Stephan Schaub that the Board of Health grants the variance with the proof of purchase of an AED as well as the following conditions:

- This variance expires at the end of this pool season.
- You must provide the appropriate safety and first aid equipment.
- You must post warning signs in a conspicuous location to include:
 - WARNING- NO LIFEGUARD ON DUTY.
 - CHILDREN UNDER THE AGE OF 16 SHALL NOT USE THIS POOL.
 - ADULTS SHOULD NOT SWIM ALONE.
 - NO ALCOHOL PERMITTED IN THE POOL AREA.
- NO PERSONS CONSUMING ALCOHOL ARE ALLOWED TO SWIM.
- You must give the Board of Health a written agreement to indemnify (enclosed) and hold harmless the Town and individual members of the Board of Health from claims for any incident or accident in the pool area be made with the Board of Health and signed by the operator of the pool, a trustee or Agent thereof.
- You must pass an opening inspection.
- In Addition, the Board required that an AED be placed on the premises at The Homes at Swan Pond and that staff present during all hours that the pool is open are CPR certified. The BOH requires that

staff is trained to administer first aid as well as AED trained and certified during all hours that the pool is open. The Board grants this variance because of past conformance with all pool regulations. Seconded by Richard Beauregard. VOTE: 4-0-0 UNANIMOUS.

Lifeguard Variance-Fairfield Inn

Documents/Exhibits

The Board of Health reviewed a lifeguard variance request from the Fairfield Inn.

MOTION: Made by Mona Bissany that the Board of Health grants the request with the following conditions:

- CPO (Certified Pool Operator) is on site at all times during open pool hours.
- Warning signs are posted around the pool
- Children under the age of 16 shall not use the pool without adult supervision
- Guests using the pool check in at the front desk prior to entering the pool area
- Staff present during all hours that the pool is open are CPR certified. The BOH requires that staff is trained to administer first aid as well as AED trained and certified during all hours that the pool is open.
- At least one AED is available in the pool area.
- Standard indemnification agreement submitted to the Town of Walpole Board of Health.

Seconded by Stephan Schaub. VOTE: 4-0-0 UNANIMOUS.

Lifeguard Variance-Home2Suites

Documents/Exhibits

The Board of Health reviewed a lifeguard variance request submitted by Home2Suites.

MOTION: Made by Richard Beauregard that the Board of Health approves the variance with the following conditions:

- You must give the Board of Health a written agreement to indemnify and hold harmless the Town and individual members of the Board of Health from claims for any incident or accident in the pool area. The Walpole Board of Health must be named in the indemnification agreement.
- Post warning signs in a conspicuous location that include:
 - WARNING- NO LIFEGUARD ON DUTY.
 - CHILDREN UNDER THE AGE OF 16 SHALL NOT USE THIS POOL WITHOUT AN ADULT BEING PRESENT
 - ADULTS SHOULD NOT SWIM ALONE.
 - NO ALCOHOL PERMITTED IN THE POOL AREA.
 - NO PERSONS CONSUMING ALCOHOL ARE ALLOWED TO SWIM.
- In addition to the full time chief engineer who will also be a Certified Pool Operator, DV Realty Partners will engage the services of an outside CPO contractor to monitor pool chemicals and pool regulations during those times when the chief engineer is not on duty during operating hours.
- At least one AED obtained and maintained in close proximity to the pool in the pool area.
- All front desk staff is trained in emergency response procedures relative to what they may need to do should there be an emergency in the pool area. (e.g. responding to the telephone in pool area)
- Guests using the pool will obtain a pool keycard at the front desk in order to enter the pool area. Monitor pool-bathing load during hours of operation. (recorded 4x/day per code at a minimum).
- Someone on staff and present at Home2Suites, 2375 Boston Providence Highway, is CPR, first aid, and AED certified during all hours that the pool is open.
- You must pass an opening inspection.

Seconded by Mona Bissany. VOTE: 4-0-0 UNANIMOUS.

Lifeguard Variance- Redwood Muse

Documents/Exhibits

The Board of Health reviewed a variance request submitted by Redwood Mews Condominiums. The variance is in relation to the regulation governing the minimum standards for Lifeguards of public & semi-public swimming pools in the Town of Walpole. The request is in accordance with the Commonwealth of Massachusetts, Department of Public Health Section 435.23 Lifeguards, which states that “the operator shall provide one or more lifeguards 16 years of age or older.”

MOTION: Made by Richard Beauregard that the Board of Health grants the request for the Lifeguard Variance upon completion of the scheduled inspection by the Health Department as well as the following conditions:

- You must give the Board of Health a written agreement to indemnify and hold harmless the Town and individual members of the Board of Health from claims for any incident or accident in the pool area. The Walpole Board of Health must be named in the indemnification agreement.

- Post warning signs in a conspicuous location that include:
 - WARNING- NO LIFEGUARD ON DUTY.
 - CHILDREN UNDER THE AGE OF 16 SHALL NOT USE THIS POOL WITHOUT AN ADULT BEING PRESENT
 - ADULTS SHOULD NOT SWIM ALONE.
 - NO ALCOHOL PERMITTED IN THE POOL AREA.
 - NO PERSONS CONSUMING ALCOHOL ARE ALLOWED TO SWIM.

In addition, the Board strongly recommends that an AED be installed on site.

Seconded by Stephan Schaub. VOTE: 4-0-0 UNANIMOUS.

Planning Board request for comment-Site Plan Approval-Clock Tower

Documents/Exhibits

The Planning Board is requesting comments on a revised site plan approval to allow the redevelopment of the existing site to construct a new mixed-use building with first floor commercial and two upper residential stories. Commercial tenants are unknown at this time. The revised plan includes the addition of a chain link fence above the retaining walls, an additional fire lane with signage, a note that indicates proposed two-bedroom residential units and the reconfiguration of the curb on Chestnut Street. The Board of Health last saw this plan at the September 20, 2022 BOH meeting. At that meeting the Board voted unanimously that the Board of Health would like to reiterate the comments from the March 15, 2022 meeting that recommend adequate lighting is provided for added safety as well as making bike racks available for residents. In addition, the Board recommended that residents be provided recycling in order to comply with the Massachusetts Waste Ban. The proposed project will utilize town water and town sewer.

MOTION: Made by Mona Bissany that the Board of Health reiterates comments from September 20, 2022 meeting, which stated that the BOH recommended adequate lighting is provided for added safety as well as making bike racks available for residents. In addition, the Board recommended that residents be provided recycling in order to comply with the Massachusetts Waste Ban. Seconded by Stephan Schaub. VOTE: 4-0-0 UNANIMOUS.

Conservation Commission- request for comment-NOI-Warwick Road Extension

Documents/Exhibits

The Conservation Commission is requesting comments on a Notice of Intent to allow the extension of Warwick Road approximately 125 feet and the construction of two new single-family house lots. The proposed project includes the construction of associated water and sewer utility line infrastructure. The proposed project is located within the 100' buffer zone. The Board of Health last saw this plan at its November 29, 2022 BOH meeting. At that meeting, the Board unanimously voted that the Board is not in favor of construction within the 100' buffer zone. The Board also encouraged future homeowners to adopt standard best practices for mosquito mitigation and to work with Norfolk County Mosquito Control for spraying and standard water treatments. The proposed project will utilize town water and town sewer.

MOTION: Made by Richard Beauregard that the Board of Health is not in favor of construction within the 100' buffer zone. The Board also has a long-standing stance on protecting the wetlands and water sources as well as protecting residents from human vector borne illnesses. If this project is approved, the Board urges the applicant as well as the future homeowner(s) to adopt the standard best practices for mosquito mitigation and to work with Norfolk County Mosquito Control for spraying and standing water treatments. As well as providing proper grading of buffer zone areas in order to prevent low points that draw and hold water. Seconded by Mona Bissany. VOTE: 4-0-0 UNANIMOUS.

Conservation Commission- request for comment- NOI-180 Stone Street

Documents/Exhibits

The Conservation Commission is requesting comments on Notice of Intent for the above referenced address. The proposed project includes the construction of an in-ground pool. The proposed work is located within the 100' wetland buffer. The property utilizes both town water and sewer.

MOTION: Made by Mona Bissany that the Board of Health is not in favor of construction within the wetland buffer zone. The Board continues to urge applicants to adopt the standard best practices for mosquito mitigation, work with Norfolk County Mosquito Control for spraying, and standing water treatments, institute regular cleaning of gutters and provide proper grading of buffer zone areas in order to prevent low points that draw and hold water. In addition, the Board always advises applicants to be aware to take appropriate measures to store all pool chemicals properly and to only discharge de-chlorinated pool water from the pool when draining. Seconded by Rachel Jackson. VOTE: 4-0-0 UNANIMOUS.

MOTION TO ADJOURN: Made by Richard Beauregard. Seconded by Mona Bissany. VOTE: 4-0-0
UNANIMOUS.

Meeting closed at 8:32pm