



## TOWN OF LANCASTER BOARD OF HEALTH

Thursday, November 16, 2023, at 9:30am

### Meeting Minutes

**Meeting start time-** 9:36am

**BOH Members in Attendance:** Jeff Paster- Chair, Melinda Apgar- BOH Member,  
John Farnsworth- BOH Member

**Others in Attendance:** Bill Brookings- NABH Agent, Samantha Zediker- HHS Administrator,  
Susan Munyon- Resident, Victoria Petracca- Resident, Chris Anderson-  
Hannigan Engineering, Rebecca Urban- Resident, Sara Singh- Nashua River  
Water Shed Association

#### Documents shared in meeting:

- 42 Seven Bridge Road Lot 3- Variance Request & Lot Plan
- LSDC Meeting Comments (11/1/23)
- Resident Rebecca Urban written comments on 0 Hilltop Subdivision
- Bill Brookings email on McGovern Blvd planning
- Proposed Fee Schedule- Portable Septic & Dumpsters

#### Scheduled Discussion:

##### 1. Permits:

- a. Lot 3- 42 Seven Bridge Road
  - i. This was addressed in the 9:45am hearing (agenda item number 3)
- b. 44-46 Meditation Lane- Distribution Box
  - i. D-box replacement for a Title 5—straight forward component replacement
    1. **OUTCOME:** BOH approves NABH Agent Bill Brookings to draft and sign permit
- c. 578 Mill Street Ext.- Distribution Box
  - i. **OUTCOME:** BOH approves NABH Agent Bill Brookings to draft and sign permit
- d. 115 South Meadow Road- Distribution Box
  - i. **OUTCOME:** BOH approves NABH Agent Bill Brookings to draft and sign permit

##### 2. Title-5 Inspection Reports:

- a. 72 Brian Rd- Pass
- b. 578 Mill Street Ext.- Conditional Pass- Distribution Box needed (permit request above)
- c. 115 South Meadow Road- Conditional Pass- Distribution Box needed (permit request above)

##### 3. Hearing

- a. Lot 3- 42 Seven Bridge Rd- Title 5 Variance Hearing- 9:45am- hearing called to order at 9:50am. The hearing ended at 9:58am.
    - i. This lot has sewer tie-in available, however the owner is requesting a septic install.
      - 1. BOH has received general approval from the LSDC allowing for septic approvals even if sewer tie-in is feasible.
      - 2. BOH Chairman Jeff Paster read the last paragraph from correspondence from Chirs Anderson- Hannigan Engineering—Variance Request Letter
        - a. In summary, due to the limited capacity of the municipal sewer system, along with unknown timeline for when a connection could be made and the composition of the underlying soils, a Variance is requested order to provider an on-site subsurface sewage disposal system on the property which would be fully compliant with Code. Hannigan Engineering, Inc. is submitting this information to your Board for review at their meeting of November 12, 2023. It is our understanding that this meeting will be a virtual meeting via Zoom and a link to the meeting will be posted on the Board of Health webpage at least 48 hours in advance of the meeting.
    - ii. Soil testing completed- sand and gravel with significant distance/depth of ground water.
      - 1. A proposed on-site septic system for the property will meet all local and state regulations.
      - 2. Sewer is heavily taxed (overburdened)
        - a. LSDC states there is a shortage of credits.
    - iii. MOTION: To approve the plan as submitted, including Variance request of Title 5, 15.004 section 3 and Lancaster BOH regulation 303-11h.
      - 1. VOTE: unanimously approved
4. Discussion:
- a. 700 Fort Pond Rd- United Ag. Turf - Septic Tank and Pump Chamber- Certificate of Compliance
    - i. The organization proposed an addition on the property- this required the decommissioning of an existing septic tank and pump chamber and the installation of the new septic tank and pump chamber.
      - 1. Permits were issued for installation, and NABH Agent Bill Brookings- NABH completed the inspections, however NABH has yet to receive the installers or engineers as-builts or a certificate of compliance.
        - a. Technically the new tank and pump chamber should not be in use until BOH receives finalized documents.
        - b. System has been in use for a few years.
        - c. BOH informed the Town Board of Selectman (through an annual licensing process feedback form)
          - i. NABH Agent Bill Brookings suggests BOH send a letter to the owner about being out of compliance.
          - ii. BOH Chairman Jeff Paster would like to make it clear that this is not acceptable to operation the business outside of the regulations of the BOH or any other town board.

1. OUTCOME: letter to be sent certified with a 30-day response from owner.
  2. OUTCOME: letter to be sent to Town Board of Selectmen, engineer, and installer.
  3. OUTCOME: NABH Agent Bill Brookings and HHS Administrator Samantha Zediker to draft letter for BOH Chairman to sign.
  4. If owner not compliant, future steps:
    - a. Fine
    - b. Select Board removed license for doing business.
- d. BOH Member John Farnsworth comment:
- i. Did we receive as-built plans?
    1. NABH Agent Bill Brookings replied- No, permits issued, and inspections completed.
  - ii. Who is the installer?
    1. NABH Agent Bill Brookings reply- unsure as he doesn't have the file with him. Engineers were Hannigan Engineering.
- e. BOH Member Melinda Apgar comment:
- i. We should not institute a fine if we don't currently have a process/policy for it.
    1. BOH should look at putting a process in place for the future.
- b. 724 Old Union Turnpike
- i. Request to keep existing well as a backup to the new well.
    1. Typically process in this type of situation, once a new well is installed, the old well decommissioned and capped.
    2. At this property, the owner is asking to keep the old well active due to the yield of the new wellbeing low.
  - ii. At this time, NABH Agent Bill Brookings has not received a letter from the well driller or the owner.
- c. 0 Hilltop Road- Preliminary Subdivision
- i. BOH provided comments to the planning board based off the plans presented at the October BOH meeting.
  - ii. Resident Comments- Rebecca Urban (emailed the board comments on the project)
    1. Title 5 Compliance
      - a. Property was divided (679 George Hill Rd- on-going issues with septic at the Manor and Carriage House)
        - i. Both properties have failed septic systems
          1. The Manor- request for a new septic system has been approved for installation by BOH. Permit approved, valid permit and installation deadline of June 30, 2024 (notes on this can be found in our previous meeting minutes).
          2. Carriage House- plan has been submitted.

- a. A new septic system would need to be installed before anything is done with the property.
      - b. Property is currently under cease and desist.
    - 3. OUTCOME: NABH Agent Bill Brookings offered Rebecca to call her to review details.
  - ii. Resident requesting that no new septic systems be approved until the above two properties septic issues are resolved and Title 5 complaint.
    - 1. Legally these are all separate properties and that cannot request cannot be done.
- 2. Well Viability
  - a. Property in the past has shown difficulty to place wells.
  - b. Plans should account for 2 wells due to the above issue.
- iii. Sara Singh- Representative for the Nashua River Water Shed Association
  - 1. Submitted a letter to the planning board and the conservation commission at this point.
  - 2. OUTCOME: BOH requesting representative email BOH the letter and ask to be placed on the next BOH meeting agenda.
- iv. Resident Comment: BSF holds the mortgage for the sub-division property (BSF is the lender).
  - 1. OUTCOME: BOH asked Victoria to send a letter with her detailed information and concerns.
    - a. BOH will take it under review once a formal plan is submitted.
- v. BOH Member John Farnsworth comment:
  - 1. Water table – ground water mounding
    - a. In a subdivision- each lot is looked at individually.
- d. 11 Kinnear Ave- Schedule upgrade hearing at December meeting at 9:45am
  - i. Small lot off Fire Road 8- the property needs a septic system upgrade due to a Title 5 failed system.
  - ii. Title 5 variance and hearing will be needed for engineers to get notices out.
- e. LSDC meeting review
  - i. BOH Member John Farnsworth provided BOH with a summary of the meeting.
    - 1. BOH has a good working rapport with the LSDC.
    - 2. Mutual agreement around contacting/communicating with each board when needed (case by case basis).
- f. McGovern Blvd planning meeting review
  - i. BOH Member John Farnsworth and NABH Agent Bill Brookings attended a meeting with the planning board around this property.
  - ii. NABH Agent Bill Brookings sent correspondence to Brian Keating (Planning board) comments and questions that pertain to the BOH.
    - 1. The septic and well must meet the standard state and local regulations.
    - 2. Need for DEP involvement to see if the intended use would trigger public water supply.

## 5. Lunch and Learn Series

- a. Update on collaboration with HHS Department

- i. HHS Department reviewed the BOH list and have chosen several topics to look at finding a presenter for. Sessions to hopefully start in the new year.
- 6. Town Health & Wellness Fair
  - a. HHS Administrator Samantha Zediker to provide update.
    - i. April 19, 2023, from 11am – 1pm at the LCC
    - ii. 35 vendors can fit in the gym comfortably.
    - iii. A vendor list has been created and outreach will start in the next few weeks.
  - b. SLA student (senior- National Honor Society)- would like to host a blood drive in town.
    - i. Jeff spoke with her about this and the possibility of it being hosted at the Health and Wellness Fair.
      - 1. OUTCOME: Waiting to hear back with a proposal from the student.
- 7. PHEP EAT Purchases
  - a. HHS department submitted request around \$400 for the following:
    - i. Sharps containers, portable ramp, cold packs, cool down blankets, body warmers, emergency transport blanket.
  - b. Purchase requests have been submitted by BOH Chairman Jeff Paster, awaiting approval.
  - c. At the last PHEP meeting, BOH Chairman Jeff Paster was made aware that Charlton received 17,000+ COVID-19test kits – they are making these available to other all surrounding Region 3 towns.
    - i. Lancaster was able to secure 6 cases, totaling around 800 tests for distribution to the community.
      - 1. COVID-19 test kits are in Samanthas office and in our storage room in Old Town Hall
      - 2. Pickup locations: LCC, Library, LFD
- 8. Brief Planning and Preparedness Survey (Jamie Terry)
  - a. Jamie is a hired contractor who is paid by PHEP group → ensure we are in compliance with preparedness and drills.
  - b. A survey was completed about potentially hosting a community drill or using an event already in place.
    - i. Vaccination/Flu Clinic
- 9. CSX railroad bridges (3 in town)- derailments (nationally)
  - i. BOH Member John Farnsworth would like to take a walk and look at our 3 bridges to see if there are any areas of concern from a public safety view.
- 10. Portable Septic/Dumpsters –
  - 1. Review proposed letter drafted by BOH Member Melinda Apgar to be sent to the Town Select Board (letter was shared on the screen and read through line by line)
    - a. Eliminate residential permits/fee for portable septic and dumpsters due to the lack of use and work on admin and chairman.
      - i. Trash Haulers must be approved by NABH.
        - 1. NABH Agent Bill Brookings does complete visual inspections of units to ensure they are on the approved

list.

- b. Forth (4<sup>th</sup>) option can be considered—Remove permits/fees for all.
2. MOTION: To eliminate the portable septic and dumpster application, permitting, and fee schedule for residents and commercial businesses in Lancaster effective immediately, subject to approval of the Town Select Board and TA.
  - a. VOTE: unanimously approved
    - i. OUTCOME: BOH Chairman Jeff Paster to revise the letter. Letter will be distributed to Board for final approval before going to the TA and Select Board.

#### 11. Air Sensor placement

- i. Update on sensor deployment → 6 or 7 of the sensors are placed in the town.
  1. Waiting to get the DEP agent to activate the sensors.
- ii. 3 sensors left- BOH Member John Farnsworth has an idea of where to place them.
  1. Clinton side of town
  2. In the area of Keating
  3. Keep for projects in the town.
    - a. Look at the planning board to include air sensors in the permit process for large projects.

#### 12. Report from The Massachusetts Performance Standards for Local Public Health

- a. BOH needs to keep an eye on the standards. – Accreditation not needed for Lancaster BOH.

#### 13. Green Burials

- a. BOH Member John Farnsworth tried to reach out to the Shirley representatives to come and speak, however after contacting them several times no response.

#### 14. New England Disposal Technologies, Inc.

- a. BOH Chairman Jeff Paster, had a conversation with the company about their services, but looking to do additional research.

#### 15. Additional business that the Chair did not reasonably anticipate being discussed.

**Next proposed meeting date → December 21<sup>st</sup>, 2023, at 9:30am**

**Minutes → Below meeting minutes will be voted on at the next meeting.**

- Approval of minutes from September 28<sup>th</sup>, 2023, meeting
- Approval of minutes from October 20<sup>th</sup>, 2023, meeting

Link below for Town of Lancaster Remote Participation Guidelines:

[https://www.ci.lancaster.ma.us/sites/g/files/vyhlf4586/f/uploads/remote\\_participation\\_guideline](https://www.ci.lancaster.ma.us/sites/g/files/vyhlf4586/f/uploads/remote_participation_guideline)

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