



Tyngsborough Board of Health

Town Hall

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Sheila Perrault, Chairperson

Bernadette Harper – Vice Chairperson

Steve Berthiaume

Christopher Mellen

Tracie Looney

Board of Health Meeting Minutes

April 14, 2014

Members Present: Sheila Perrault (SP), Bernadette Harper (BH), , Steve Berthiaume (SB), Christopher Mellen (CM), Tracie Looney (TL)

Also Present: Kerri C. Oun (KO) – Health Agent, Assistant, Matt Waterman (MW) – Landtech Consultant

6:10 Meeting Opened

Chair (SP) opened the meeting

6:10 Meeting Minutes

SB: made motion to approve meeting minutes from March 10, 2014.

BH: 2nd the motion

Vote: yes -4 no – 0 (TL was absent at last meeting)

6:10 Health Agent's Notes

KO reported that the BOH office was awarded a senior help out in the senior work off program.

KO reported that burial permit will be going online. Funeral homes will be able to do the permit online and BOH will be able to approve it online.

KO requested volunteers for HHW day for May 3rd. CM will not be able to attend.

6:15 Olive Garden

MW updated the Board on the progress of Olive Garden. Fast system is up and running. Inspections are 99% done. COC has not been issued. Olive Garden monitored grease trap. MW wants to go back in Spring to inspect.

6:30 50 Scribner Road

Kevin Ritchie of Civil Engineering was present on behalf of the owner, Colleen Bertone. He submitted the notification to an abutter for a reduction the property line off set. Property has failed title 5 and has high water table on one side of the property. MW has question if the property was originally built with 5 bedrooms. According to the assessor's record, the house is a 5 bedrooms unit. Mr. Ritchie assumed an in-law may have been added at a later time. Mr. Ritchie requested variances for the offset of the leaching area to the property line, to the cellar wall, and to a private well. MW has 2 conditions.

BH: Made motion to approve following variances request:

1. 310 CMR 15.405(1)(a) to reduce the requisite offset from a property line to a leaching area from 10 ft. to 5 ft.,
2. 310 CMR 15.405(1)(b) to reduce the requisite offset from a cellar wall to a leaching area from 20 ft. to 15 ft.,
3. 310 CMR 15.405(1)(a) to reduce the requisite offset from a private well to a leaching area from 100 ft. to 75 ft.

With following conditions:

1. Provide water testing for the well.
2. Dry well to be discontinued per Title 5.

SB: 2nd the motion

Vote: All in favor.

6:45 Recycling By-Law:

The recycling by-law needed to be updated and voted on at Town meeting. KO reviewed the following changes to the By-Law with the Board.

1. Addition of

Section 0.0 AUTHORITY: The elected Board of the Tyngsborough Board of Health shall be the entity charged with the promulgation and implementation of the regulations and requirements contained herein.

2. Change to Section 3 Definitions:

- ~~Barrel: A 50-gallon or less refuse receptacle not to exceed 50 lbs. when full.~~
Trash Cart – Town supplied 64 gallon maroon receptacle.
- ~~Recycling Receptacles: Durable containers up to 95 gallons weighing less than 50 lbs., when full, and paper bags to contain recyclable paper.~~
Recycling Cart – Town supplied 96 gallon blue receptacle.

3. Change to section 5.2:

Every residential owner, tenant, occupant, or property manager (acting on behalf of an owner, tenant, or occupant) shall place ~~a suitable durable, labeled, recycling container for glass, plastic, and metal~~ **all recyclables in the blue 96-gallon recycling cart** at the curb or designated pick up location, at designated collection times. ~~Paper shall be collected in paper bags, tied securely, or placed in suitable containers (excluding plastic bags) and placed at the curb at designated collection times.~~ Compostable yard waste shall be placed in suitable containers **or yard waste bag** and twigs ~~shall~~ **may** be tied, **bundled, and placed at curb or designated pick up location at designated times.**

BH: Made motion to approve the above changes to the Tyngsborough By-Law.

SB: 2nd the motion.

Vote: yes -5 no - 0

7:00 Tobacco 21

D.J. Wilson, Tobacco Control Director from Mass. Municipal Association was present to discuss the sample regulation for tobacco control. He informed the Board that the intent of the regulation is not to eliminate e-cigarettes. He brought samples of different e-cigarettes and nicotine products available at retail stores and online. He discussed some of the concerns regarding teenagers use of tobacco and nicotine products. Current Tyngsborough Tobacco Regulation does not include e-cigarettes. Some of Cities and Towns have raised

minimum age to 21. If the Board decides to change the regulation, Mr. Wilson can help with the process. The Board will continue to discuss the matter at future dates.

8:00 Warrant Article on Mosquito Control

Board of Health met with Board of Selectmen and Financial Committee to discuss the warrant article that BOH submitted to see if the Town will vote to become a member in the Central Massachusetts Mosquito Control Project for a minimum three year period. Tim Deschamps, Director from Central Mass. Mosquito Control Project was also present to answer any questions concerning the program. SP informed BOS and FC that the Board voted unanimously to submit to the article and give the residents an opportunity to vote on the matter. One of the biggest concerns that BOS and FC have is the means to pay for the program.

8:30 Meeting adjourn