



# Tyngsborough Board of Health

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**Sheila Perrault, Chairperson**

**Bernadette Harper – Vice Chairperson**  
**Steve Berthiaume**

**Tracie Looney**  
**Carolyn Rae Ryan**

## **Board of Health Meeting Minutes** **November 10, 2014**

**Members Present:** Sheila Perrault (SP), Bernadette Harper (BH), , Steve Berthiaume (SB), Tracie Looney, Carolyn Rae Ryan (CR)

**Also Present:** Kerri C. Oun (KO) – Health Agent, Dariza Chan (DC) – Administrative Assistant

**6:12 Meeting Opened**  
SP opened meeting.

**6:12 Carolyn Rae Ryan**  
Board members acknowledged and welcomed new Board member, Carolyn Rae Ryan.

**6:13 Meeting Minutes**  
SB: made motion to approve October 6, 2014 minutes.  
TL: 2<sup>nd</sup> the motion  
Vote: Yes – 4            Nay – 0            CR was not at last meeting

**6:14 Health's Agents Notes:**  
1 Mt Paul Rd – KO informed the Board that the owner, John Reed, will come in to request an apporval for a shallow well. He is not on the agenda because he came in after the agenda was posted but due to his situation, KO asked him to come to the meeting. His well produced brown water. Per the Tyngsborough Board of Health Well: “shallow wells that rely upon aquifer shall be permitted only by special permissiion of the Board of Health” Mr. Reeds currently has 2 wells on his property. He claimed it does not provide sufficient water.

Praticum - Jen Curtis, student from Umass Lowell, is interested in doing her spring practicum for the Board of Health. The Board has no objection to having Ms. Curtis on board.

Trash and Recycling – KO has called Elderly Service in Lawrence reagarding assistance for elderly and the disable and they have informed her that they do not provide trash assistance service. KO went to speak to the resident who requested special pick-up due to his disability and he said that he will think about trash being picked up at curbside in trash bags.

Tobacco Regulation – KO spoke to DJ Wilson, Tobacco Control Director of MMA, regarding grandfather's clause on no smoking in retail tobacco stores. He suggested that the language

can be worded to apply to establishments that apply for an initial permit after the effective date of this regulation. BH wanted KO to look for the language for the initial permitting of Rubin's Cigar. She recalled that Rubin has to meet certain percentage of sale in order to operate the tobacco shop.

**6:30 104-106 Cardinal Lane (Benchmark Condominiums)**

Jeff Hannaford of Norse Design Services, Inc. was present on behalf of his client, Benchmark Estates Condominium Trust to request a variance to 310 CMR 15.000, Title 5. The request of variance is to 15.405(1)(h), "Depth of Groundwater", for 3 foot separation instead of the 4 foot as required by Title 5. The proposed leach area is to the rear of the building. The grading in that area is such that raising the system would require filling up to and over existing bulkheads. Since the area is sloping, one end of the leach field have 3 foot offset to the water table and the other end will be 5 feet above.

BH: Made motion to grant variance to 15.405(1)(h) for a three (3) foot separation to groundwater contiguous upon Landtech Consultant review and approval of the plan.

TL: 2<sup>nd</sup> the motion

Vote: All in favor.

**Benchmark Condominiums** – Mr. Hannaford submitted an overview site plan showing the septic systems and wells. He was not able to find the exact route of water line.

**6:47 Bridgeview Convenience (168 – 172 Middlesex Rd) continued from August**

Jay Patel, owner and Fred Perrault of Borough Sewer were present to update Board on the progress of the project. Mr. Patel informed the Board that the retaining wall is almost done. The next step for the project is waiting for the financial approval from lender. He is optimistic on the financial aspect. His tenant, Country View Restaurant, has agreed to stay. Mr. Perrault informed the Board that the last time he pumped was in July. He has monitored the system since then and there has been no issue. BH said she had been by the property once or twice a week and did not note any outbreak from septic system. BH asked Mr. Perrault to keep a log of his inspection on premise and KO will check log during her inspection. Mr. Perrault made a suggestion for Landtech Consultant and Health Agent to check septic tank as well. Mr. Patel told the Board that sewage for his property is still a possibility.

BH: Made motion to continue matter to April and asked Mr. Patel to come back in April for update regarding project.

TL: 2<sup>nd</sup> the motion.

Vote: Yes -4 Nay - 0 SP abstained

**7:10 1 Mt. Paul Road**

John Reed, owner, came before the Board to request the approval of a shallow well on his property. Mr. Reed brought in a gallon of brown water from his existing well. Mr. Reed has 2 wells on his property and both are not working properly. He wanted the well dug as soon as possible so that he may bring his wife home from the hospital. Mr. Reed has asked 2 well companies regarding the well and they have suggested doing a shallow well to save money. KO said that she has called and spoke to Steve Hallem from Well Driller Program of MassDEP. He had told her that shallow well can be safe if it is built with a well-head protection. Mr. Reed understood that he has to get the water tested when the well is done.

KO said that the site plan submitted by Mr. Reed showed a different location of the septic system from the septic system plan on file. KO recommended that the owner gets an engineer or a Title 5 inspector to find out where the septic system is and submitted a plot plan by the engineer or title 5 inspector.

BH: Made motion to approve the shallow well pending the submittal of a site plan by a Title 5 inspector or engineer.

SB: 2<sup>nd</sup> the motion

Vote: All in favor.

**7:20 Health Fair**

BH reported that the area where the Health Fair was set up did not get enough foot traffic. TL had made suggestion to have it the hallway or in the cafeteria but the janitor of the school did not want his set-up interrupted. SP and BH suggested that the event should be plan well ahead of time. CR said she will put it in the ipad to remind the Board to work on the planning in April's meeting.

**7:35 Adminstrative Assistant's Notes:**

Flu Clinic: DC reported that we did about 84 flu shots for this year. She will be working on the paperwork for reimbursement.

Trash and Recycling: DC provided the Board with reports for bulky stickers, trash and recycling toters, renewal for trash toters. A refund has been issued for a lady who wanted a recycling toter for a short period of time.

Yardwaste: DC reported yardwaste dates are on Fridays, November 7<sup>th</sup> and November 21<sup>st</sup>.

**7:45 Meeting Adjourned**