



Tyngsborough Board of Health

Town Hall

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Sheila Perrault, Chairperson

Bernadette Harper – Vice Chairperson

Steve Berthiaume

Tracie Looney

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Board of Health Meeting Minutes

September 14, 2015

Members Present: Sheila Perrault (SP), Steve Berthiaume (SB), Tracie Looney (TL),
Also Present: Kerri C. Oun (KO) – Health Agent, Matt Waterman (MW) – Landtech
Consultant

6:10 Meeting Opened

SP opened meeting.

6:12 Meeting Minutes

SB: Made motion to approve April 13, 2015 and June 12, 2015 meeting minutes.

TL: 2nd the motion.

Vote: All in favor

6:15 298 Middlesex Road (Mike's Sign)

Mike Bromaghim, owner, was present to request an installation of a tight tank and a new water well. The property is within the sewer district of phase I project. Mr. Bromaghim would like to install the tank until the sewer is available. Once available, he will have his business connect to sewer. Mr. Bromaghim submitted a contract with a septage hauler with a proposed pumping schedule. MW has reviewed proposed Sewage Disposal System Plan. He has no issue with the proposed installation of the tight tank and recommended the Board to issue a construction permit with the conditions outlined in his letter dated August 17, 2015. Per MW's letter:

1. Permits shall be valid for one (1) year.
2. Permits may be extended for a period of one (1) year if approved by the Board.
3. Permits can only be extended one time (one (1) year).
4. Applicant shall provide a signed contract with a licensed septage hauler for a minimum of one (1) year with a proposed pumping schedule (estimated pumping frequency).
5. No increase in design flow allowed.
6. Applicant shall connect to the municipal sewer system as soon as it is available.

SB: Made motion to approve the installation of a new well and a holding tank with conditions outlined in MW's letter dated August 17, 2015.

TL: 2nd the motion.

Vote: All in favor.

6:25 Flu Clinic

KO informed the Board that Tyngsborough Family wants to do the flu clinic. The Board feels that it is a good idea and agree that Tyngsboro Family can do the flu clinic and the BOH

does not have to do it.

6:30 Health Fair

KO informed the Board that the director of Council on Aging asked if BOH would be interested in doing the Health Fair at the new Senior Center on Westford Road. The Board feels that it is a good place to hold the fair, however, the Board wants to find out what is the director's vision is for the Health Fair and what kind of vendors does she want. The Board feels that the Health Fair should be geared towards family. SP suggested to maybe add a Fire and Safety Program to the Health Fair. Board does not think that they'll be ready within the next month and if BOH is to have the fair, it has to be next year. Board asked KO to check in with CR to see if she has any progress with the health fair.

6:35 29 Christine Ave

Jeff Hannaford of Norse Engineering and James Patterno, owner, were present to request variance for the Sewage Disposal System. The system has failed title 5. The new system incorporates (MassDEP) Innovative/Alternative Technology, the Infiltrator Chambers, by Infiltrator Systems, Inc.

Due to site constraint, the following variance is requested:

- 310 CMR 15.405(1)(h) – Reduce the 4-foot off-set distance from estimated seasonal high water table (ESHWT) to the bottom of the soil absorption system (3' provided).

MW has no issue and recommends approval of construction permit with following conditions (as noted in his letter dated August 17, 2015):

1. Any approvals would include the conditions set forth by the MassDEP Standard Conditions for Alternative Soil Absorption Systems with General Use Certification and/or Approved for Remedial Use, revised March 20, 2015.
2. Provide a certification, signed by the Owner of record, stating that the property Owner has read and understands the Standard Conditions referenced above.
3. No increase in design flow is allowed for this facility.

SB: Made motion to grant variance above variance request with conditions outlined in MW's letter dated August 17, 2015,

TL: Second the motion

Vote: SB and TL in favor. SP abstain.

6:45 10 Poitras Ave.

Jeff Hannaford of Norse Engineering and Steve Nocco, owner, were present to request installation of a new septic tank. Mr. Nocco wants live in the existing house while the new house is being built. Once the house is finished, he plans to disconnect the septic tank and reconnect to the new house. He will then knock down his old house, build the leach field. Mr. Nocco has also met with the Zoning Board for a variance and a special permit. The Zoning Board has approved the special permit to build the single family home with a 90 day temporary permit following the construction of the the new building. MW has reviewed the Sewage Disposal System Plan. The plan incorporates the Infiltrator Chambers System.

LandTech would recommend that the Tyngsborough Board of Health issue a construction permit for this system with the following conditions:

1. Any approvals would include the conditions set forth by the Standard Conditions referenced above.
2. Provide a certification, signed by the Owner of record, stating that the property Owner has read and understands the Standard Conditions referenced above.
3. No increase in design flow is allowed for this facility.

Additionally, the applicant is proposing to live in the existing dwelling during construction of the new dwelling. This would require the system be installed in two phases:

1. Keep the existing structure while the new structure is built. This would include installing the septic tank and a portion of the leach field during construction.
2. Demolish the existing dwelling and install the remaining portion of the leach field.

LandTech would defer to the Tyngsborough Board of Health on any determination to issue a building permit, however, the following conditions should be considered

- Prior to the issuance of a permanent Occupancy Permit for the new structure, a valid sewage disposal system shall be installed with a Certificate of Compliance issued by the Tyngsborough Board of Health.
- Two separate Septic Permits (and certificate of compliance(s)) should be issued; one for phase 1 and one for phase 2.
- If at any time the onsite system is failing to protect the public health, safety or environment, the system shall be pumped as needed to ensure that the system does not pose a public health threat until a final Certificate of Compliance is issued for the septic system.

SB: Made motion to approve following variances:

- Two phases construction of the sewage disposal system:
 1. Phase I: Installing the septic tank while living in the existing structure.
 2. Phase II: Installing a leach field while living in the new structure.

The variance approval is subject to the following conditions:

1. The completion of phase 2 is to be completed within 90 days after issuance of temporary occupancy following the construction of the new dwelling.
2. Prior to the issuance of a permanent Occupancy Permit for the new structure, a valid sewage disposal system shall be installed with a Certificate of Compliance issued by the Tyngsborough Board of Health.
3. Two separate Septic Permits (and certificate of compliance(s)) should be issued; one for phase 1 and one for phase 2.
4. If at any time the onsite system is failing to protect the public health, safety or environment, the system shall be pumped as needed to ensure that the system does not pose a public health threat until a final Certificate of Compliance is issued for the septic system.

TL: Second the motion

Vote: All in favor.

7:00 Health Agent's Notes

KO informed the Board that Tyngsborough Family Pharmacy is looking to expand. They have done a site evaluation but probably looking to hook up to sewer.

Tyngsborough Crossing and Merrimac Commons (125-135 Middlesex Road and 115 Middlesex Road) is going before Zoning Board for modification of a comprehensive Permit. There will be 120 townhouse style duplex units in 60 buildings.

Chilshom Road – KO asked Council on Aging for volunteer to help out with trash but they were not able to find one. SP will checked with Lowell Catholics and Tyngsborough High School to see if there are any students who want to complete their community service. Board asked KO to check with Republic Services to see if they will take the truck down the street and to check in with the neighbor to see

Title 5s – KO informed the Board that Title 5s are being charged at \$45 per report for review by Landtech. KO asked if Board wants to start charging for Title 5s. KO provided

Board with fees that some Town charges for filing fee or review fee. KO suggested that maybe the Town do not have to send the passing Title 5 for review. Board asked KO to find out how many Title 5s the office get per year. KO will research info.

Funeral Home Licensing – KO informed the Board that a funeral home is being built at 4 Cassaway.

TL: made motion to license Funeral Home with an annual fee of \$50.

SB: 2nd the motion

Vote: all in favor.

7:50 Meeting Adjourned