



Town of Rochester

Board of Health

37 Marion Road

Rochester MA 02770

Phone: 508-763-5421 Fax: 508-763-5379

BOARD OF HEALTH MINUTES

May 5, 2023

4:00 PM

Present: **Karen Walega, Health Director** **Glenn Lawrence, BOH Member**
 Sarah T. Eby, BOH Member **Susan Kucinski, Board Administrator**
 Megan DaCosta, Public Health Program Manager **Kevin Silva, S&K Engineering**

1. MEETING CALLED TO ORDER AT 4:07 P.M.

Review Minutes – April 12, 2023

Sarah T. Eby made motion to approve minutes for April 12, 2023, meeting.
Glenn seconded the motion.

Review Correspondence

4:00 p.m. Megan DaCosta - Public Health Program Manager
 Tobacco and marijuana
 Update on inspections conducted in Rochester, MA

Ms. DaCosta presented documentation regarding the Rochester Board of Health Restricting the sale of Tobacco products to the Board. She stated there is a State Model and local options. There is a baseline for State Regulations, such as over 21. The Policy is based on Massachusetts State Law and Towns may have stricter options, to avoid fines, such as pricing. The Sarah T. Eby advised the Board would look it over, review any items of interest and approval, make suggestions, and get back to her.

Ms. DaCosta also provided Post-Inspection reports for the following:

4/10/2023 Season's Corner Market, 8 Cranberry Hwy, Rochester, MA 02770
 NO VIOLATIONS FOUND

4/10/2023 Lloyd's Market, 4 Hartley Road, Rochester, MA 02770
 NO VIOLATIONS FOUND

4/10/2023 Adrian's Package Store, 711 Mary's Pond Road, Rochester, MA 02770
NO VIOLATIONS FOUND

4/10/2023 Plumb Corner Market, 565 Rounseville Road, Unit 6, Rochester, MA 02770
NO VIOLATIONS FOUND

**4:15 Kevin Silva – S & K Engineering
Variance Request**

Mr. Silva requested a variance for a maximum feasible upgrade compliance: A 1' (one foot) waiver in the required 4' separation of leaching area to estimated seasonal high groundwater utilizing the Presby Environmental Septic. Glenn and Sarah have no issue with it, as it is a good system. Sarah made motion to agree to the variance. Glenn seconded the motion.

2. CORRESPONDENCE

a. Ken Motta – email update on Trailside Estates

The following items were noted in a letter from Ken Motta regarding meeting with John Maffei on-site to review progress of the contractor on the shared subsurface sewage disposal system:

- 1) The electrician has run power to the equipment shed. The electric meter, MDP, space heater and main breaker are installed inside the shed along with the two control panels for the Bioclere system.
- 2) The area around the shed, main septic tank, and Bioclere unit has been cleared of vegetation and is now fully accessible around the Bioclere unit. Recommended to check the seal because it has been sitting for a while.
- 3) The main effluent pumps have been installed in the pump chamber. The power and alarm conduits from the pump chamber to the shed were not visible at the time of the inspection.
- 4) John had indicated the alarm signals will be directed to Bioclere and is still working with his electrician on the signal routing logistics. Apparently, the alarm box relays he has on site are the wrong size.
- 5) The control valves and access cover have not been provided on the valve chamber. John indicated Dave Nicolosi will be doing this work when he gets back from vacation.
- 6) Ken advised John again that as the consultant for the Board of Health, FEC is only observing the progress of the work for compliance with the approved ISDS Plans and Disposal Works Permit and the certification of the completed system must be prepared by the design engineer as a prerequisite to the issuance of a Certificate of Compliance by the Board of Health. He acknowledged this obligation and further stated Prime Engineering will continue to be the engineer of record on this project.

- 7) John was told when everything is ready, he will need to schedule the Bioclere test, pump clear water test, and all system controls including pump functions, alarm functions, etc., with his contractor, electrical, design engineer, and representative from Bioclere. At that time, FEC will prepare a semi-final punch list in conjunction with all parties. John expects to be ready for the start-up test in 2-3 weeks.

b. Rick Charon- variance letter, 228 Mary's Pond Road

Letter sent to Rick Charon approving his variance request for 228 Mary's Pond Road. BOH Section 15.211 to allow a portion of the leaching field less than 100 feet from wetlands without the de-nitrification equipment (proposed = 80 ft)

c. Rick Charon – variance letter, 349 Cushman Road

Letter sent to Rick Charon approving his variance request for 349 Cushman Road. Board voted to approve variance from Massachusetts Title V regulations; Section 15.212 to allow a depth to groundwater less than 5 feet. (Proposed = 3 ft.)

d. Robert Rego – variance letter, 6 Robinson Road

Letter sent to Robert Rego approving his variance request for 6 Robinson Road. Board voted to approve variance request of a local upgrade from the Rochester Rules and Regulations; a local upgrade from Section 15.203 which requires septic systems be designed with a minimum flow capacity of 400 gallons per day (gpd) and be designed for a three-bedroom home; a waiver allowing the proposed septic system to be designed for a two-bedroom, 200 gpd system. A deed restriction limiting the dwelling to two bedrooms must be filed at the Plymouth County Registry of Deeds.

e. Memo to Planning Board regarding Tree Talk Business

Review of Technical Review meeting held on April 5, 2023, at the Police Station to discuss the proposed business Tree Talk located on the Keller Property. According to the Board of Health, bathroom facilities are required for the business. The business owner would like to use a compost type toilet, and another solution would be a port-o-Jon on site. The owner needs to speak with Plumbing Inspector Larry Ferreira regarding the compost toilet. Owner should notify the Board of Health as to what option they go with.

2. Public Health Nurse Update

Discussion about the use of opioid money. Connie suggested the money go towards free CPR training in and use of Narcan in coordination with the Fire Department. Karen also suggested the money could go to lock boxes in the new 40R housing development. There was discussion about posting signs of

awareness of ticks and tick-borne illnesses, and mosquitoes. Connie advised the COVID cases have dropped. She said the clinics are great, 2 days a week at the senior center, and once a week at the Annie Maxim home. She's attended meetings and webinars. She discussed the Public Health Excellence Grant and stated the DPH surveys were not accurate of what is really going on. There was discussion about marijuana and other drugs. Sarah suggested a campaign as some of the new drugs are worse than fentanyl.

Connie discussed the upcoming Block Party scheduled for 6/22/2023 1pm – 4pm, and the Senior Center. The BOH will have a booth, doing BP checks, weight, oxygen and heart rate checks. The Public Health Excellence grant would provide materials and cover some of the costs for Connie. The Block Party will also include educational information regarding insect-borne illnesses, safety. Materials provided thought the grant will include sunblock, insect repellent, tee shirts, and hats. Connie advised she has minimal hours in the budget for the remainder of the year; however, the PHEG would cover anything related to the Block Party.

3. Health Director Update

Karen advised her updated Health Director Report would be coming. She had completed 2 perc tests, 2 Title V inspections. On-going issues with properties at 373 and 375 County Road, and there have been no response to phone calls. The Attorney left, and there is a new attorney now. Karen had been in touch with the AG's office regarding a search warrant to check the conditions of the home. A complaint investigation came in for 69 New Bedford Road.

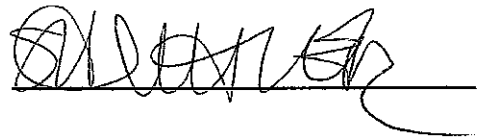
ANY OTHER MATTERS TO COME BEFORE THE BOARD

No new matters

ADJOURNMENT

Sarah made a motion to adjourn the meeting at 4:38 PM. Dave seconded the motion. All were in favor, and the meeting was adjourned.

DATE: 2 Aug 2023

A handwritten signature in black ink, appearing to be "D. H. L.", written over a horizontal line.