

**TOWNSEND BOARD OF HEALTH**

272 Main Street

Townsend, Massachusetts 01469

***Christopher Nocella, Chairman James Le’Cuyer, Vice-Chairman Gavin Byars, Clerk***

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**November 22, 2021, at 6:30 p.m., EST**

**Meeting Room 2 First Floor**

**272 Main Street**

# PRELIMINARIES

* 1. Roll Call
  2. Additions or Deletions not anticipated 48 hours in advance

APPOINTMENT/HEARINGS

* 1. CO-VID Update (include Town Meeting and Mask Updates)
  2. 478 Main Street – Proposed Dog Grooming Facility
  3. 22 Main Street – Proposed Dog Boarding Facility
  4. 78 Turner Road – Septic Upgrade with local Variance
  5. 102 Brookline Road – Septic Upgrade with local Variance
  6. Stable Regulation Update
  7. Fee Schedule for Food Permits, etc.
  8. 3-Wheeler Road – Compost and Manure Plan
  9. Other permits for review

WORK SESSION

* 1. Invoices including MassToss membership
  2. Minutes of September and October
  3. Waste Zero Overflow Bag Contract Renewal – Legal review pending
  4. Future Agenda Items
     1. Septic Regulations Update – Work Session Spring
     2. Permit and Fees Update 2022–2024 – Set up January 2022
     3. Next Meeting December 13, 2021, 6:30pm (can we change to 5?)

ADJOURNMENT

**Board of Health Meeting Minutes November 22, 2021**

* 1. Meeting was called to order at 6:42pm.
  2. 198 Pierce Road Septic Upgrade was added to the agenda.
  3. **COVID Update**: Townsend has jumped to 37, last report was 21. More calls for case tracing. 5-11 ages jumped to 12% as their age group is now eligible for the vaccination. Townsend is still behind the State numbers. This jump has the following age group data: 0-11 6 cases, 20-29 11 cases, 30-39 4 cases, 40-49 5 cases, 50-59 7 cases, 60-69 4 cases. 22 were not vaccinated or were unknown. Household transmission was most of the clusters and a college Halloween party at Fitchburg State. The State has updated the eligibility for the vaccine. Any body 18+ is now eligible for the booster vaccine. You also can mix and match the different vaccinations for booster. The Pedi clinic last week had 86 show up and they had 150 vaccination shots. It was for Townsend, Ashby, and Pepperell. The Board discussed the Town meeting and revisiting the mask requirements.  **Chairman askes the Board to go back to the mask mandate. MOTION was made by JL and 2nd by GB. Voting 3/0 All in favor.** Rick suggested getting some platform in place, so they do not keep going back and forth. Chairman agrees. Percent positivity is the number of tests that are run and how many come back positive. Gavin disagrees with the spreadsheet information as many towns in the County are closer to the City and are mandated getting tested normally. He would like to have another conversation on this. Chairman suggested a working session. They could not find a suitable time with the holidays coming up. They referenced the color categories that the State is no longer using, such as 25+ meant a red category. Littleton has mask requirement throughout town and hired outside consultant to help for some time. Lancaster has also done something similar, and Rick will investigate their metrics. Most towns do have town municipal buildings mandated to wear masks. He reminds them this will take a few meeting but they need to deal with the town meeting sooner than later. Chairman askes the Board to recommend to the Selectmen they put the mask mandate back on. The Board also moved their next meeting to December 13 at 530pm. The town meeting is 12/14/21. Gavin would like to recommend transferring to the High School. Chairman reminds Board they have various rooms in Townhall for overflow with cameras. **Vice Chair suggested using the school with a 3-foot separation and MOTIONED, GB 2nd. Voting 3/0 all in favor.**
  4. **478 Main Street Proposed Dog Grooming Facility:** Vice-Chair asked if Rick Metcalf spoke to the Building Inspector and what is his thoughts were. A written determination on the use application summarized its not allowed by right use but can be allowed through special permit through the ZBA. Applicant has hearing January 12th. Says no one looked at her application it sat on the desk for over a month. Chairman thinks commercial business in the garage should have a separate tank or system for the business. Vice-Chairman has concern with the hair in the septic. A tight tank would have to pumped periodically but if they increase the number animals that could be costly. He is in favor of the business just trying to make sure its done correctly. In the event that the system is damaged from this its going to be costly to repair it. Gavin is also concerned about the hair and asked about the plumbing codes. He is not crazy about the numbers, but he feels Applicant has the opportunity to work 6 days a week whether that is the intent or not. Applicant only works Wednesday – Friday when the husband is home watching her children. Gavin would like hours or operation to help justify the numbers. Chairman agrees restrictions can be put on the approval. Rick reminds the Board an industrial holding tank is one option or determine the flow for business use and see if the existing system has capacity. They discussed the house is only using 3 bedrooms and if the assessor card changes then it opens up an additional 110 gallons per day which would make the business allowable. Applicant reminds the Board she is only using 3 bedrooms. They discussed the requirements of a bedroom. They discussed removing a door is not structural change. Vice-Chairman asked if she operated at night. Applicant says maybe 2 nights a week. His thoughts are to recommend where it is a new system and if one bedroom is removed and with certain days of the week to work 2 days a week it could work. Applicant can’t’ work 2 nights a week. Gavin explained sge can have hours of operation be 24 hours or 12 hours of operations and you can decide when you want to work those hours. The Board can watch the water readings and if things look good, they can lift some limitations. Rick states DEP asks for water reports for 1 year with similar projects. Applicant does not want to work 2 days a week. Rick suggested number of dogs might be easier than an hours of operation. He concluded capacity which would be hard to enforce and possibly be a hardship for the applicant. Vice-Chair agrees with Rick’s comments. They continued the discussion to 12/13/21.
  5. **22 Main Street –** Proposed Dog Daycare Business: Applicant was a no show. The Board discussed the miscommunication at the last meeting.
  6. **78 Turner Road Septic Upgrade with Variance:** Chris from Dillis & Roy appeared before the Board. Small stream wraps around the property so they kept testing out of back yard. 310 CMR 15.405(1)(g): Reduction of the minimum required to 100-foot setback of a leach area from a private water well. 70 feet from existing suction pump and well is proposed. Conservation was out for a site visit. **MOTION made by JL with approving the variance for the well offset, GB 2nd. Voting 3/0 all in favor. MOTION carries.**
  7. **102 Brookline Street Septic Upgrade with Variance:** Presby system. 310 CMR 15.405(1)(h): reduction of the required 5-foot separation between the bottom of a leach area and the estimated seasonable high ground water table. **A MOTION was made by JL and 2nd by GB to approve the variance for the 4-foot separation. Voting 3/0 all in favor. MOTION carries.**
  8. **Stable Regulations:** Gavin stated the Planning Board is doing something with a chicken bylaw. He suggested a collaboration. They asked about the Selectmen Liaison. Carla Hitzenbuhler will set up a group meeting with liaison, planning and the Board. Stable regulations are moved to future agenda items
  9. **Fee Schedule:** Chairman would like to raise the $5.00 food permit annual fee. Chairman suggested $50.00. They discussed the process for the fee schedule. Vice-Chairman would like the increase to be spread out over a 3-year interval.
  10. **3-Wheeler Road Manure Management:** Rick reminds the Board as part of the Site Assignment the applicant needs to show how they are going to spread any by product. Rick and Carla have not had time to review it. They continued it to 12/27/21.
  11. **198 Pierce Road –** Septic Upgrade: Dead end street last house on the left. They are demolishing the existing house and building a new one set back. They will need a new well and typically the Board of Health will not sign permits until a potable water source has been found. They did not indicate if the pool and deck will be staying. The design is in full compliance with Title 5 regulations. **A MOTION was made by JL and 2nd by GB to approve the septic design for 198 Pierce Road four-bedroom home.** Vice-Chair is not comfortable signing without knowing the potability. Rick noted they can have a well completion report before they sign. **MOTION is amended to sign out of meeting once potability is approved. GB 2nd, Voting 3/0 all in favor. MOTION carries.**
  12. **Invoices including MassToss membership:** Invoices Weston & Sampson, Complete Recycling Services and Carla Hitzenbuhler travel were all approved as submitted. They discussed MassToss two-year membership requirement**. A MOTION was made by CN to opt out of MassToss after this fiscal year and 2nd by JL. Voting 3/0 all in favor. MOTION passes.**
  13. **Minutes of September and October.** Vice-Chairman JL explained he was invited to the Poultry Processing Plant while in motion. He agreed and was very impressed with the operation. He would like to thank the Board for all their support.
  14. **Waste Zero Overflow Bags Contract:** Legal review still waiting.
  15. **The Board discussed the future agenda items.**
  16. **A MOTION was made by GB and 2nd by JL to adjourn the meeting at 8:04 p.m. Voting 3/0 all in favor. MOTION passes.**