

Town of Stoughton

BOARD OF HEALTH MEETING MINUTES

*Andrew M. Tibbs, Chairman
Richard Parolin*

Michael Varner

*Steven Snyder, Vice Chairman
Ellen Epro*

The Stoughton Board of Health held a hybrid Google meeting on Thursday, January 19, 2023 at 6:00 p.m. This meeting was conducted by remote participation pursuant to Governor Baker’s March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor’s March 23, 2020 Order imposing strict limitations on the number of people who may gather in one place via Google Meet.

Members present:

Mr. Andrew Tibbs, Chairman
Mr. Richard Parolin
Mr. Michael Varner
Mr. Steven Snyder
Ms. Ellen Epro – arrived late due to a prior commitment.

Mr. Tibbs called the meeting to order at 6:01 p.m. and announced the meeting is being conducted as a hybrid.

I – Variance / Extension Requests

A. Chateau Restaurant -1165 Park Street.

Chairman Tibbs announced the first item on the agenda was a variance extension request from the Chateau Restaurant located at 1165 Park Street. Mr. Brian Dundon, site civil engineer from RJ O ‘Connell and Associates participated remotely on behalf of the applicant. Mr. Dundon introduced himself and stated he is requesting a 6-month extension to the existing food permit license which is set to expire at the end of this month (January). He stated, he will provide the Board with a status update and then will request a continuance of the extension as he has done previously.

Mr. Dundon explained that designs and permitting activities have been substantially completed. In the next couple of weeks, he plans to request a meeting with the Engineering and Board of Health Departments as well as the Conservation Commission. At that time, he will provide these groups with the Chateau’s proposed plans for connecting to town sewer during Phase I of the plan which includes Campanelli Park, Shuman Avenue intersection.

Mr. Dundon said the proposed plan requires installation of the sewer line through a private property (Isaac Moving and Storage) and he will share design plans with the property owners. MASSDOT will also need to grant a road opening permit to cross Park Street. MASSDOT will not accept an application until town permits are in hand.

Mr. Perry asked for conformation of the time line for the plan submittal to engineering.

Mr. Dundon responded, once Engineering, Board of Health and Conservation departments are in agreement, he will send final plans to Engineering for review. While engineering is reviewing the plans, Mr. Dundon will file a notice of intent with the Conservation Commission.

Mr. Perry confirmed with Mr. Dundon that he has completed preliminary plans and expects to have final plans to submit to engineering in a month or two.

Mr. Tibbs welcomed questions from the Board.

Mr. Parolin made a motion to extend the current food establishment permit until the Board of Health meeting in May. Mr. Varner seconded.

On the vote:

Mr. Snyder – yes

Mr. Varner – yes

Mr. Parolin – yes

Mr. Tibbs – yes

The motion to extend the food permit license until the Board of Health meeting in May passed. At that time, the Board of Health will hear an update and review. Otherwise the extension is approved until the end of May 2023.

B. Kelley’s Trailer Park – 1156 Park Street

Mr. Tibbs explained that Mr. Perry and Mr. Leahy have visited the site recently and asked for their comments.

Mr. Perry provided the following summary; Kelley’s Trailer Park has spots for 24 trailers and includes one, 3-bedroom single family dwelling. Of the 24 trailer spots, there is one vacant spot and one vacant trailer that is being cleaned and removed within the next couple weeks (eventually to be replaced).

The house hasn’t yet been connected to the new collection system. It is vacant at this time and eventually will be connected to the new collection system under construction. At that time, its own cesspool will be pumped empty, backfilled and abandoned as required under Title V.

Of the 24 trailer locations that are to be tied into the new collection system:

13 units have been connected to the new sewer line and are discharging into the new tanks rather than into the cesspools (though not yet abandoned). 3 have new sewer services running to them but have not yet been tied into by the plumber so are still discharging to cesspools while awaiting those final plumbing connections.

5 existing trailers/manufactured homes have still not been connected and are still discharging to cesspools. That leaves 2 more trailer spots that also are still not connected to the new collection system, but are vacant & therefore not discharging to their cesspools.

So basically at this time, only about 27% of the park's flow is non-conforming, still discharging to cesspools.

Mr. Perry estimated that it may be another 1-3 months before the collection system is completed, and another 1-3 months after that before the new leaching system is completed.

Mr. Matt was attending via telephone and confirmed they are now at approximately 70% complete. He agreed with Mr. Perry's assessment and Bill estimated he will have collection systems completed within 45 days, weather permitting.

Mr. Parolin questioned how many days Mr. Matt's crew is working up there and how many crew members are working. Mr. Matt said he was onsite every day with a crew of 2-4 persons per day. He added, in order to allow the residents safe access to their units and parking, the workers have to concentrate on one side at time. A tree needs to be removed to allow the residents more access to their units and parking.

Mr. Parolin made a motion to approve the extension for one more month and then have an update at that time. Mr. Snyder seconded.

On the vote:

Mr. Snyder – yes Mr. Varner – yes Mr. Parolin – yes

Mr. Tibbs – yes

Mr. Tibbs announced the next item is updates from the sanitarian.

II. Sanitarian Update

A. 1517 Morton Square – sewer

Mr. Perry said no action is necessary on this. There was a multi-family unit that needed a pump station to connect to the sewer. They are now pumping to the sewer main and the engineer will be submitting an as built for the pump station. There is no longer a threat to public safety.

B. 1044 Park Street – Blue Hills Rehabilitation

Mr. Perry explained the facility has met all the Conservation requirements and have stabilized the soil. The pump chamber has been repaired. Laundry services were moved offsite which brings the flow down to 5,000-7,000 gallons per day. They continue to pump daily. The facility has multiple contractors working on this and they hired an engineer to design a sewer connection plan. Town sewer is still not ready quite yet for a connection. There have been no complaints.

Ellen Epro arrived at this time and was briefed on the progress of the meeting.

C. 1873 Washington Street – Noncompliance for seven years

Mr. Perry said the owner's finally submitted a plan to engineering along with other documents in an effort to show they are actually trying to get this corrected. It has been an ongoing issue during which time, the Board of Health sent them several noncompliance letters.

Due to the required connection crossing over route 138, they need MASSDOT's approval to open the road up. They are requesting a one-month approval in order to get permission from MASSDOT to open the road.

Ms. Epro said she believes the Board of Health has waited long enough. She suggested the Board start implementing fines to the property owners.

Mr. Tibbs said he'd be interested in seeing what gets accomplished in a month.

Mr. Perry commented on the Select Board recently granting the tenant, a car dealership at that address a renewal license because they felt it was of no fault of the tenant's, but the fault of the property owner.

Mr. Parolin made a motion to grant a one-month extension to the February meeting. Mr. Snyder seconded.

On the vote:

Mr. Parolin – yes

Mr. Varner – yes

Mr. Snyder – yes

Ms. Epro- yes

Mr. Tibbs – yes

Ms. Epro added it should be with consequences after one month.

Mr. Tibbs stated he'll leave it up to Mr. Perry and Mr. Leahy to notify the applicant of the Board's decision.

D. 1305 Washington Street – Huggard & Ewing

Mr. Tibbs noted there is a theme with these issues. Mr. Perry summarized it as an ongoing issue for approximately 5 years. The owners met the plan submittal deadline, however, the way the plan was created would have required variances and appearing in front of conservation. It made more sense to change the plan. The business is requesting another month in order to have the plan corrected and have a plan review done. A discussion ensued on the location of the property and the structures on it Mr. Perry said they have a commercial car wash at the location, which requires an industrial size holding tank, which was one of the things missing from the original plan. Their engineer wasn't able to attend tonight's meeting so they respectfully requested an extension for one month. Mr. Snyder said it feels like they have dragged their feet on this for a while now.

Mr. Parolin made a motion to continue the extension for another month. Mr. Snyder seconded

On the vote:

Mr. Parolin – yes

Mr. Varner – yes

Mr. Snyder – yes

Ms. Epro- yes

Mr. Tibbs – yes

E. 354-360 Washington Street – Dumpster Violations

Mr. Leahy explained to the Board, there are several businesses located in this plaza and there is evidence of rodents. Referring to the pictures he shared, he noted there are burrowing holes from rodents and trash blowing all over the place. The rodent issue is being treated by a pest control company at this time. Mr. Leahy said there was a period when the day of pickup was changed, resulting in no trash pickup for almost 2 weeks.

Another issue is, because there isn't a set location for the dumpster, the trash company keeps moving the dumper back to where it's actually damaged the fence.

Mr. Leahy said the abutting property is a residential house directly behind the dumpster.

A plan is currently being worked on between the property owner and the trash company. They have a week or less to submit the plan, or request a variance. There isn't much room on the property for options due to parking and a loading dock. Mr. Leahy said he is interested in seeing what they come up with. He will continue keeping an eye on this.

Mr. Tibbs asked for Mr. Leahy's opinion as far as resolving this. Mr. Leahy said it is really up to the owner to find a way to make this work. The Board will wait to see what plan they come up with.

Mr. Leahy mentioned Miranda Bread (a tenant) reached out to the health inspector, asking for suggestions, which shows an effort to resolve the problem.

Mr. Tibbs commented that this is a pretty common situation where a tenant is subject to problems that arise due to landlords not being proactive.

III Covid 19 Update

Chairman Tibbs explained, in conjunction with the flu and RSV, Covid is still causing problems. In general, it has been a terrible season for viral infections. Anyone with risk factors should take appropriate care.

IV Correspondence

December 15, 2022 Meeting minutes

Mr. Parolin motion to approve with any corrections. Mr. Varner seconded.

On the vote:

Mr. Parolin – yes Mr. Snyder – yes Mr. Tibbs – yes

Ms. Epro- yes Mr. Varner – no vote

V. Continuances

A. 37 Dykeman Way – Property maintenance / trailers

Mr. Leahy mentioned the tent structure that was in front of the building has been removed. He suggested the Board can check with the Building Commissioner to see if there are any issues, but the Board of Health hasn't received any complaints.

Mr. Parolin made a motion to adjourn. Ms. Epro seconded.

On the vote:

Mr. Parolin – yes Mr. Varner – yes Mr. Snyder – yes

Ms. Epro- yes Mr. Tibbs – yes

Meeting adjourned at 6:42 p.m.

Documents used during the meeting:

- Email communication between Lawrence Perry and Brian Dundon dated December 20, 2022
- Title 5 Letter of Non – Compliance to 1873 Washington St. dated March 22, 2022
- Letter to Huggard Brothers, LLC dated January 11, 2023 re: Failure to meet septic deadlines of 7/6/2022 and Title 5 Letter of Non-Compliance
- Letter dated December 23, 2022 to 354-360 Washington Street; Dumpster order

- Photos of dumpsters located at 354-360 Washington St. with overflowing conditions
- Board of Health Minutes of December 15, 2022

Minutes approved ~ February 16, 2023