

**Town of Stoughton**

**BOARD OF HEALTH MEETING MINUTES**

*Andrew M. Tibbs, Chair ♦ Steven Snyder, Vice Chair ♦ Richard Parolin ♦ Ellen Epro ♦ Michael Varner*

The Stoughton Board of Health held a hybrid Google meeting on Thursday, March 16, 2023 at 6:00 p.m. This meeting was conducted in person and 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.

**Members present:**

- Mr. Andrew Tibbs, Chairman
- Mr. Steven Snyder, Vice Chair
- Mr. Richard Parolin
- Ms. Ellen Epro
- Mr. Michael Varner

Mr. Tibbs called the meeting to order at 6:01 p.m. and announced the meeting is being conducted as a hybrid. He stated the first item on the agenda is Variance / Extension Requests.

**I – Variance / Extension Requests**

**D. 79 Canton St., Prato Fino – Exterior Grease Trap Install Extension Request**

Mr. Tibbs said the applicant for this item requested to be heard first. Hearing no objections from Board members, 79 Canton St. was taken out of order. Mr. Tibbs explained this is a request for an exterior grease trap installation extension request.

Mr. Eric Dias introduced himself as an engineer from Strong Point Engineering Solutions. He thanked Board members for allowing him to be heard first. Mr. Dias said Prato Fino do Brazil, a restaurant is located at this property. He explained his firm was recently engaged by the owners of the property for the installation of an upgrade to an exterior grease trap. Once he was made aware of a deadline, he requested an extension in order to allow time to complete the installation.

Mr. Dias said he anticipates being ready to submit a plan by April 15, 2023. He said his survey crew has begun work and they are requesting an extension to the end of June. Mr. Perry added that if an extension is granted and the project is not completed by the end of June, the Board can take further action.

Mr. Parolin made a motion to grant the extension to the June meeting, providing all plans for the project are in by the April meeting. Mr. Snyder seconded.

Mr. Tibbs called for a vote:

- Ms. Epro – yes
- Mr. Snyder – yes
- Mr. Varner – yes

Mr. Parolin – yes      Mr. Tibbs – yes

Mr. Tibbs reiterated the motion to grant the extension to the June meeting passed, providing all plans are in by the April meeting.

**A. Kelley’s Mobile Home Septic Install – 1156 Park Street**

Mr. Perry said he was out to the site and they continue to make progress. Another manhole was completed and an additional service put in. They are still waiting for the plumber to connect services. He invited Bill Matt of BCS Construction to speak.

Mr. Matt said the right side main distribution is finished and a more services have been completed. The service to the remaining 3 services is expected in the next few weeks. After completion of those services, the engineer is poised to finalize the necessary plan and submit it to Mr. Perry for review of the leaching facility. They are hoping to have the leaching facility installed in early spring, April or May, which will complete the project.

After confirming the request for an extension was submitted in writing, Mr. Parolin made a motion to grant the extension to the next Board meeting in April with a status update.

Mr. Snyder seconded.

On the vote:

Mr. Snyder – yes      Mr. Varner – yes

Mr. Parolin – yes      Mr. Tibbs – yes

Ms. Epro – no response

\* Mr. Tibbs suggested to Ms. Epro she press \*6 to unmute herself. There was no response

**B. 1305 Washington Street – Septic Installation Extension**

Mr. Tibbs read the address and purpose of the request. He asked Mr. Perry for an update.

Mr. Perry told the Board he had performed an additional test hole the previous day on the high side of the lot with Frank Gallagher, the engineer. Mr. Perry said he had received “high water” reports and contacted the engineer and suggested he may want to revisit this. The higher ground water issue was corroborated yesterday. Mr. Perry added they are revising plans due to the elevation of ground water and an extension is needed.

Chairman Tibbs asked whether anyone from 1305 Washington St. was in attendance, hearing no response, he welcomed questions from the Board. Mr. Tibbs welcomed a motion.

Mr. Parolin asked how much of an extension was needed Mr. Perry responded, a month to get the plans in and then additional time for installation.

Mr. Tibbs accepted a motion from Mr. Parolin to grant the extension for one month. Mr. Parolin added to the motion; after one month, Mr. Perry or Mr. Leahy can grant additional time as needed. Mr. Tibbs agreed if the plans are sufficient, then the extension can continue with an additional month as needed at Mr. Perry or Mr. Leahy’s discretion. Mr. Snyder seconded.

On the vote:

Mr. Snyder – yes      Mr. Varner – yes  
Mr. Parolin – yes      Mr. Tibbs – yes  
Ms. Epro – no response

**C. 1873 Washington Street – Sewer Connection Extension Request**

Mr. Perry reminded the Board the sewer connection for 1873 Washington St. was already approved by engineering. He explained it became complicated because two other parcels now want to tie in to the sewer system via an easement through 1873.

He said the plans now have to be updated to include the other 2 properties, which consist of a residential property and the Stoughton Motel. They are asking for another 30 days to update the plans, tying in the 2 properties.

Mr. Tibbs invited anyone in attendance for this property to come forward. There was no response. He welcomed questions from the Board. Mr. Tibbs asked Mr. Perry how much of an extension is needed.

Mr. Perry said at this time, 1873 Washington St. would be able to connect, however considering all the heavy equipment needed, it makes more sense to wait and tie in all the properties at once.

Mr. Tibbs remarked that it makes sense to have as many properties connect to sewer as possible. He only wishes the properties were clearer on what they were asking for earlier in the process.

Mr. Parolin made a motion to grant a 2-month extension, providing the plans are in by the April meeting. If the plans are in by the April meeting, Mr. Perry and Mr. Leahy can decide to continue the extension to the June meeting. Mr. Snyder seconded, saying the suggestion sounded reasonable.

On the vote:

Mr. Snyder – yes      Mr. Varner – yes      Mr. Parolin – yes  
Mr. Tibbs – yes      Ms. Epro – no response

Mr. Parolin asked Mr. Perry to look into having part of the project which requires crossing over 138 completed first. He suggested this could be done while waiting for the revised plans, in doing so, expedite the project.

**E. 909 Sumner Street, PAM Health – Exterior Grease Trap Install Extension Request**

Mr. Tibbs read the name and address of the applicant and mentioned it being a miscommunication. Mr. Perry told the Board members the address was formerly occupied by CURA Health. The company was transferred and the person who signed the agreement didn't formerly notify the new owners of a deadline to install an exterior grease trap. The new owners are getting up to speed and have hired an engineer to design a plan.

Carl (CJ) Daly, current operations manager of PAM Health was in attendance. He stated they were not made aware of the commitment by the prior owner until February 17<sup>th</sup>. They have been acitively working with an engineering firm to draw up a plan.

Mr. Snyder questioned whether the current system is in failure and is it still in use.

Mr. Perry explained the current system is actually a grease interceptor, not a grease tank. With the interceptor, the grease passes through inside the kitchen where temperatures are warmer. Once the grease reaches the outside and mixes with waste water, the cooler temperatures causes coagulation. The interceptor is only designed for certain greases that don't require the exterior temperature change and retention time. The grease interceptor is under the plumbing code, whereas an external grease trap is required for facilities that accept the grease and help in maintaining the sewer mains.

Mr. Snyder remarked they are clogging up the sewer until a new grease trap is installed. Mr. Perry agreed the grease will clog the drains, which is why an exterior grease trap is required.

Mr. Daly said according to the engineer, submission of plans is estimated at three months. Once the plan is approved, they will apply for permits. Mr. Daly suggested an estimated 6-month completion time, as the project is starting from scratch.

Mr. Snyder asked if the type of food being prepared can be limited to lessen the amount of grease going into the system.

Mr. Perry replied the facility is regulated by the state and requires certain dietary restrictions. He said it's hard to quantify the effect of the current situation because the situation has gone on so long.

Mr. Varner asked how often the interceptor is inspected, suggesting increasing inspections would monitor the current state of the interceptor. Mr. Varner asked whether there is a current maintenance plan and if so, what it is.

Mr. Daly confirmed they have a company that does routine maintenance, at least twice per year.

Mr. Daly was asked how many people are served. He estimated 70 people. He confirmed there is a fryer in the facility. Mr. Snyder suggested increasing the frequency of pumping. Mr. Daly said he would agree to whatever the Board requires.

Mr. Snyder made a motion the Board grant a 3-month extension with the condition the applicant provides monthly reports and conducts frequent inspections. Mr. Varner seconded.

Mr. Daly asked where he should send the inspection reports. He was told to send them to the Board of Health office.

#### **F. 217 Washington St. – Amelia's – Exterior Grease Trap Install Extension Request**

Mr. Perry informed the Board that he took the liberty of allowing a 30-day extension to this property. He advised the restaurant if more time is needed, they will be required to go in front to the Board.

#### **G. 47 Freely Drive – Well Water Supply Variance for Coffee Roasting Residential Kitchen**

Mr. Buuthien Hang, applicant addressed the Board and explained he is a college student starting an ecommerce coffee roasting business. He will be selling coffee online only. Because he is just starting out, he is requesting a variance to use well water for the time being until his business is up and running. Mr. Snyder questioned how much coffee Mr. Hang expects to sell and confirmed there will be no customers coming to this address. Mr. Hang said no water will be used in processing the coffee, only cleaning the machine. He told Mr. Tibbs he provided the Board with lab reports on the well water. Mr. Perry said this variance is only temporary to see how the business progresses. He added that there hasn't been an onsite inspection yet because Mr. Hang wanted to make sure the variance was approved first. The residential kitchen will be scheduled for an inspection upon approval of the variance.

Mr. Parolin made a motion to approve the variance for 6-months. Ms. Epro, now able to be heard by the group, seconded the motion.

On the vote:

Mr. Parolin – yes      Mr. Varner – yes      Mr. Snyder – yes      Mr. Tibbs – yes  
Ms. Epro – yes

Mr. Tibbs informed Mr. Hang his variance requested was granted for 6 months and if he needs it longer than that he can request it at a future Board of Health meeting.

#### **H. Bishop's Landing Condominiums – Lifeguard Variance Request**

Gary Owens from Janek Property Management was in attendance representing Bishop's. He explained, due to the lack of available life guards they are requesting a waiver. He consulted with their insurance company and it's not required to have life guards on duty at the pool. There are 2 phone lines, one direct dial to the Fire Department, the other serves as a backup. There are signs posted that state no life guards are on duty. Residents receive a copy of the rules and regulations that state no life guards are on duty. If there are only 2 people in the pool area and one is in the pool, the other must be out of the pool and must be an adult. No matter how many people are in the pool, one person must be out of the pool at all times and must be an adult in case of an emergency. In order to obtain a pool pass, the resident must sign the rules and regulations.

Mr. Snyder asked if there have been any issues at the pool. Mr. Owens stated there have never been any issues. He described the residents as being a tight knit community who police themselves and understand the waiver is contingent on the above stipulations.

Mr. Parolin said it should be stated in the rules that the person outside the pool must be an adult over the age of 21. Additionally, he asked for confirmation of published advertisements for lifeguards.

Mr. Snyder made a motion to approve the variance with the changes requested. Ms. Epro reminded the applicant to include the age stipulation. Ms. Epro seconded

On the vote:

Ms. Epro – yes      Mr. Snyder – yes      Mr. Parolin – yes  
Mr. Varner – yes      Mr. Tibbs – yes

## **II. Sanitarian Updates**

### **A. 354 – 360 Washington St. – Dumper Violations**

Mr. Tibbs asked Mr. Leahy to give an update.

Mr. Leahy explained he hasn't received a response from the manager since the last meeting. He did send the manager an invitation to the meeting, but doesn't see anyone here tonight.

The manager had initially said he'd be requesting a variance for the concrete pad, but Mr. Leahy has yet to hear anything. Mr. Leahy added that he hasn't received additional complaints and it seems the abutting neighbor who complained before seems satisfied. He suggested if the Board doesn't hear back in 30 days, they can look at further action against the property owner.

### **B. 945 Washington St. – Winner Spot Convenience – Tobacco Violation Letter**

Mr. Leahy explained to the Board this was a violation of menthol tobacco sales, among other things. The flavor tobacco, which is a state violation is the is the major violation. Mr. Leahy said he and Mr. Perry agreed to issue a fine.

The business is in the process of being sold and the violation letter went to the new owner.

The new owner came into the office and explained the sale has not closed yet. The violation letter was then sent to the original owner. The owner has 30 days to pay the fine or dispute the fine.

Mr. Snyder asked if the business has been inspected in the last few years. Mr. Leahy replied the business is inspected every year and the products that resulted in violations were added sometime after the last inspection. Mr. Tibbs and Mr. Leahy recalled a previous violation at this business for selling tobacco to a minor.

Mr. Snyder asked whether there would be fines at the state level. Mr. Leahy said the state leaves it up to the town. Mr. Tibbs commented the fine is substantial.

## **III Covid 19 Update**

Mr. Tibbs said as of May 11, the state of emergency related to public health will expire and will not be renewed. He went on to say, new proposals are being considered to make permanent, parts of the measures that worked, such as hybrid meetings.

Mr. Tibbs commented he would like to meet again in person, but has no objection to continuing the hybrid part for the convenience of applicants and the public. He suggested the Board discuss this at the next meeting.

Ms. Epro wanted to confirm she hadn't abstained on the first vote. She voted yes. She was unable to unmute phone for a while during the meeting, however she was able to hear the meeting.

## **IV Correspondence**

Mr. Parolin motioned to approve the minutes of February 16, 2023 with any deletions or corrections as needed. Mr. Snyder seconded.

On the vote:

Mr. Parolin – yes      Ms. Epro- yes      Mr. Varner – yes  
Mr. Snyder - yes      Mr. Tibbs – abstained (hadn't read minutes)

Mr. Parolin made a motion to adjourn. Mr. Snyder seconded.

On the vote:

Mr. Parolin – yes      Mr. Varner – yes      Mr. Snyder – yes  
Ms. Epro- yes      Mr. Tibbs – yes

Meeting adjourned at 6:51 p.m.

**Documents used during the meeting:**

1. Email request from Nick Mirrione dated Feb. 16, 2023 to formally request extension for the septic installation at 1305 Washington St.
2. Email request from JFD Corp. dated March 8, 2023 requesting an extension for the sewer connection at 1873 Washington St.
3. Letter dated March 8, 2023 from Eric Dias / Strong Point Engineering requesting extension for an exterior grease trap installation at 79 Canton St.
4. Letter dated March 3, 2023 from Shawn Todd / PAM Health requesting extension for an exterior grease trap installation at 909 Sumner St.
5. Variance application from Buthien Hang of 47 Freely Drive to use well water for his residential coffee roasting business
6. Well water report for 47 Freely Drive
7. Variance application from Gary Owen of Bishops Landing Condominium, Camelot Court requesting waiver of life guard requirement
8. Pool Rules and Regulations for Bishop's Landing residents
9. Notice dated March 8, 2023 of fine issued to Winner Spot at 945 Washington St due to tobacco violation
10. Minutes of February 16, 2023

Approved – April 13, 2023