

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 this meeting on Thursday May 15, 2025 at 6:00 p.m. In accordance with the Governor's order allowing public bodies to hold open meetings in person, remotely or in a hybrid fashion extended to June 30, 2027, the meeting was conducted both in person at Town Hall, 10 Pearl Street, Stoughton, MA 02072, 3rd floor Yaitanes conference room– and by remote participation via Google Meets.

Members present:

Mr. Andrew Tibbs, Chairman Mr. Steven Snyder, Vice Chair
Mrs. Ellen Epro Mr. Richard Parolin

Member Absent: Mr. Michael Varner

Also, Present:

Lawrence Perry, Town Sanitarian, Sean Leahy Asst. Town Sanitarian

Present virtually: Attorney Brian Winner, Town Counsel, Attorney Richard Nysten for 1156 Park Street. Mr. Matt Hughes, WIN Waste Director of Environmental Compliance

Chairman Tibbs called the meeting to order at 6:01 p.m., announcing it is being conducted both in person at Town Hall and virtually via Google meets as posted. Mr. Tibbs announced the first item on the agenda

I. Variance / Extension Requests

A. Knollsbrook Condominiums Lifeguard Variance request

Mr. Michael Rodriguez representing Knollsbrook addressed the Board explaining the condominium is not able to find enough lifeguards to staff the pools. He said they are only able to open three of the four pools. Chairman Tibbs asked if Mr. Rodriguez was familiar with all the BOH requirements to obtain a lifeguard variance. Mr. Tibbs stated all the requirements. Mr. Rodriguez replied he is aware and mentioned this is the fourth year he has had to apply for a lifeguard variance and they abide by all the rules and regulations required. Mr. Snyder asked who conducts the pool water tests and whether a log is kept. Mr. Rodriguez responded he does the testing and keeps a log. He is training a staff member to perform the testing in his absence as well.

Mr. Parolin made a motion to approve the lifeguard variance.

Mr. Snyder seconded.

On the vote:

Mrs. Epro – yes Mr. Parolin – yes Mr. Snyder – yes Mr. Tibbs – yes

B. Millbrook Farms Condominiums Lifeguard Variance request

Mr. Tibbs welcomed anyone from the condominium in attendance to speak. Hearing no response, Mr. Leahy spoke on the variance request. Mr. Parolin asked how many pools there were. Mr. Leahy said there is one pool. Mr. Snyder mentioned there not being any language regarding one person must be out of the pool at all times when someone is in the water.

Mr. Parolin made a motion to approve the lifeguard variance and wants the applicant to provide the Board with an updated list of restrictions to include requiring at least one person be out of the pool at all times when a person is in the water. Mr. Leahy will make the applicant aware of this.

Mr. Snyder seconded.

On the vote:

Mr. Parolin – yes Mrs. Epro – yes Mr. Snyder– yes Mr. Tibbs – yes

C. 1305 Washington Street

Mr. Perry told the Board everything under the BOH's permit has been completed and there is no need for another extension. Mr. Perry let the Board know while he was out at the site earlier that day he witnessed soapy water in the wash bay and a hose discharging out under a fence. Mr. Perry said while he did not witness anyone washing cars, the Board has been assured numerous times vehicles are not washed at this location. Mr. Perry said there are two water services, one to the office and the other to the garage wash bay. He suggested the DPW shut off water to the garage wash bay. When no one came forward from 1305 Washington Street, Mr. Tibbs welcomed a motion.

Mr. Parolin made a motion to request the DPW shut off the second source of water in the wash bay at this address.

Mrs. Epro seconded.

On the vote:

Mr. Parolin – yes Mrs. Epro – yes Mr. Snyder– yes Mr. Tibbs – yes

The Board discussed whether employees could be using this water for hand washing. Mr. Perry said he will check, but if that is the case, the water has to discharge to a tight tank and it should have been set up that way in the plan.

Mr. Parolin made a motion to the previous amendment to leave it up to Mr. Perry's discretion whether the water should be shut off, or how this is to be handled. Mrs. Epro seconded.

On the vote:

Mr. Parolin – yes Mrs. Epro – yes Mr. Snyder– yes Mr. Tibbs – yes

D. 756 Washington Street – KPA Restaurant Dumpster pad variance request

Mr. Leahy and Mr. Perry told the Board of receiving emails from business owners on this block requesting a continuation of the variance. One request was for 90 days since it still isn't known when the construction will be complete. Mr. Perry did ask the owner of the property to come up with a timeline in order to have a better idea of when the parking lot will be paved to allow the dumpsters to be installed correctly.

After some discussion among the Board and no one from the property coming forward on this matter, Mr. Snyder made a motion to continue the dumpster variance for 30 days. At that time, the Board expects to see a time line of when the construction will be completed. Mr. Tibbs said if they need another extension at that time, they could request it.

Mrs. Epro seconded.

On the vote:

Mrs. Epro – yes Mr. Parolin – yes Mr. Snyder– yes Mr. Tibbs – yes

E. 1643-1647 Central Street – Commercial Dumpster

Mr. Leahy provided a summary and said this is similar to the previous agenda item with construction going on at the property. He said it's a large shared parking area and the construction is expected to be completed by the end of the summer. Currently the tenants are using a 2 cu yard dumpster and having it

dumped more frequently. The Board agreed to remove this item from the agenda unless they hear any complaints.

F. 1156 Park St. – Kelley’s Manufactured Home Park license extension & septic project update
Town Counsel, Attorney Brian Winner, attending virtually provided an update on the project. He stated he, Attorney Nyles representing 1156 Park St. and Nyles of Zenith Consulting Engineers have been communicating. The attorneys are providing Nyles with the information he needs to review the system already installed in an effort to move towards providing an "as-built" for board approval. Nyles is awaiting further materials before providing a written progress update to the board.

Mr. Parolin reiterated concerns about assurances that the PE who signed the plans has been involved. Mr. Tibbs said he believes Nyles is working towards approving a plan the Board can be comfortable with. He added that is the result he would like to see. Attorney Nyles assured the Board his client is cooperating and paying for the peer review by Zenith and Nyles.

On a motion by Mrs. Epro, and seconded by Mr. Parolin, the Board approved a 60-day extension for the park's license to operate.

On the vote:

Mrs. Epro – yes Mr. Parolin – yes Mr. Snyder– yes Mr. Tibbs – yes

II. Town Counsel Update

A 100 Page St. C&D Facility: Minor Modification Request

Attorney Brian Winner stated that the legal notices for the public hearing June 12th on the minor site assignment modification request are being published. Mr. Matt Hughes from Win Waste commented on the very good working relationship up to this point. Mr. Parolin expressed concerns that this might not be a minor modification and should undergo a full site assignment review. Mr. Tibbs cautioned this substantive discussion should be deferred until the public hearing.

Note: A motion was made by Mr. Parolin and seconded by Mr. Snyder later in the meeting to publish the public hearing notice in the local weekly “Penny Saver” (Suburban-Shopper) as well for broader community awareness.

On the vote:

Mrs. Epro – yes Mr. Parolin – yes Mr. Snyder– yes Mr. Tibbs – yes

III. Sanitarian Update

A 145 Sharon St. – Mobile Gas Station Tobacco Violation

Mr. Leahy explained it is the second violation by this business within 36 months. The owner promptly paid the fine and he verbally requested we rescind the 7-day suspension. Mr. Leahy told him to put the request in writing, as such a request would have to be as part of a public hearing. Mr. Snyder asked what type of smoking accessories were found. Mr. Leahy said there was a display case full of pipes and bongs. Mr. Tibbs asked if it was the second violation for the same offense. Mr. Leahy said no, the first offense was for having flavored vaping products in the store. Mr. Tibbs said he would be happy to hear from the owner if he wants to ask for clemency.

B. 464 Canton St. – Housing / failed residential septic / legal issues occupant / owner

Mr. Perry said the septic permit has not been signed off on yet. The last he heard, the occupant was living in a hotel. There are ongoing legal issues between the landlord and occupant. He said the occupant told him she had hired a plumber to fix various issues, but there has not been any plumbing permits pulled as of today. Mr. Perry advised the occupant to have her plumber call the building department to pull permits for the repairs. He believes the house is vacant, but sometimes there are cars parked there. Other times

there are not. The property owner said that he had a car towed from the property because no one is supposed to be living there.

C. 33 Monk St. – Housing / Zoning / Building code violations

Mr. Leahy said the owner's son invited him to the property for an inspection. Mr. Leahy gave them a 30-day extension to an original deadline, which is now May 22. He said once that day comes, depending on the progress made, they might be subject to daily fines. A camper on the property, which is unclear whether it's occupied, has to be removed since it does not meet zoning laws and doesn't meet the setbacks. There are also structures that have to be permitted or removed. Mr. Leahy said the owner and her daughter are both aware of the situation and this involves multiple departments.

D. Online Permitting

Mr. Leahy announced we are online with most of the Board of Health permits. He said obviously, in the beginning there are occasional glitches to be worked through here and there, but we are working them out. The building department has been live for almost a year now, so they are a great resource for us.

E. **Correspondence**

A. Open Meeting Minutes from April 17, 2025

Mr. Parolin made a motion to approve the minutes with any corrections and deletions.

Mr. Snyder seconded.

On the vote:

Mr. Parolin – yes Mrs. Epro – yes Mr. Snyder – yes Mr. Tibbs – yes

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

Mr. Parolin – yes Mrs. Epro – yes Mr. Snyder – yes Mr. Tibbs – yes

The meeting adjourned at 6:53 p.m.

DOCUMENTS USED DURING MEETING

1. Knollsbrook Condominium letter dated April 8, 2025 confirming the Board of Trustees are requesting a lifeguard variance – 1 pg.
2. Variance application from Millbrook Condominium requesting a lifeguard variance – 1 pg.
3. Millbrook Condominium Pool rules – 4 pgs.
4. Letter from Lawrence Perry dated April 17, 2025 to Mr. William Piazza, property owner of 752 Washington St. notifying him of the need to request a dumpster variance extension for his property
5. Email communication from Kelly Francois to Mr. Perry, ccing Mr. Leahy, Ms. LeBlanc, Yves Urio requesting a dumpster variance extension at his restaurant, KPA
6. Email communication from Yves Urio requesting a dumpster variance at his restaurant, Olivios
7. Letter dated May 7, 2025 from Mr. Matt Hughes to Mr. Andrew Tibbs requesting a Minor Site Assignment Modification at Stoughton Recycling 100 Page St. – 2 pgs.
8. Cease and Desist order dated May 2, 2025 to Pranav Fuel, 145 Sharon St. for violation of Tobacco laws sent by Sean Leahy
9. Updated Cease and Desist order dated April 24, 2025 sent to Marilucia Galvao, 33 Monk St. sent by Sean Leahy listing all violations to be corrected at 33 Monk St. – 2 pgs.
10. Open Session minutes of April 17, 2025 - 6 pgs.

Open session minutes of April 17, 2025 approved at this meeting.