



TOWN OF LANCASTER BOARD OF HEALTH

Thursday, August 31, 2023, at 9:30am

Meeting Minutes

Meeting Start time- 9:30am, called to order by Chairman Paster

BOH Members in Attendance: Jeff Paster- Chair, Melinda Apgar- BOH Member

Others in Attendance: Bill Brookings- NABH Agent, Samantha Zediker- Intake Coordinator, Danielle Fahey (Executive Director, Clinton Housing Authority), Susan Munyon (Resident), David Rich (55 Sylvan Rd- Tenant), Peter Goeller (55 Sylvan Rd- Property owner)

Documents shared in meeting:

- Mill Street Ext.- Plan
- 74 Beach Point Rd- Plan
- 2415 North Main Street- Beaver dam road picture
- 679 George Hill Rd- Permit Application

Scheduled Discussion:

1. Permits:

- a. Mill Street Ext- New lot- Septic system permit (resubmission for permit)
 - i. 2-bedroom, 1,500-gallon tank, 2 stone tranches
 - ii. No variances needed.
 1. BOH approves of the plan.
 - a. BOH has approved Bill to draft a new permit and sign for the board.
- b. 23 Silver Street- Sewer line replacement from house to septic tank
 1. The property had issues with settling. The line has been replaced with schedule 40 PVC pipe.
 2. BOH approves of Bill to sign and issue the permit.
- c. 74 Beach Point Rd- Upgrade from a failed system
 - i. No variance required.
 - ii. 1,500-gallon septic tank and leaching galleys are being used due to space issues.
 - iii. Local upgrade approval:
 1. 2 minute an inch sand (very pervious soil). The State code requires a 5-foot ground water offset.
 - a. 1-foot reduction to a 4-foot system for gravity to avoid a pump.
 - iv. OUTCOME: BOH approves Bill to draft and sign the permit.
- d. 2415 North Main Street- Emergency Beaver Trapping Permit
 - i. The State has given power to Local BOHs to issue emergency beaver trapping permits, which allows the use of traps that have been outlawed.
 1. A list of criteria has been provided to follow from the State and at least

- one (1) criterion must be met to issue a permit.
 - a. Affects agriculture or access to agricultural land.
 - ii. The upper field and lower field at the Christmas tree farm on the property has been flooded due to a beaver dam, causing the agricultural road (which accesses the back field) to be impassable.
 - 1. Conservation commission has been notified.
 - 2. OUTCOME: BOH approves of Bill to sign the permit.
- 2. BOH resignation
 - a. Denise Hurley resigned from the BOH on August 30, 2023, effective immediately.
 - b. BOH chairman spoke with Denise and asked her to consider taking a hiatus for a few weeks to see if her personal troubles resolve over the next few weeks.
 - i. Chairman to give her the next few weeks before replacing her seat through a recommendation to the Select Board
 - 1. OUTCOME: BOH members and any attendees recommend a town individual to fill the chair if necessary
- 3. Title-5 Inspection Reports:
 - a. 17 Connor Lane- passed
 - b. 252 Fort Pond Inn Road- passed
 - c. 2528 North Main Street- passed
- 4. Hearing: Started at 10:01am, Closed at 10:18am
 - a. Condemnation Hearing- 10:00AM: 55 Sylvan Rd
 - i. Status update- Certified letter/Signature required sent on 8/3/2023 and received on 8/5/2023.
 - b. Inspection completed by NABH & two (2) Lancaster BOH members that resulted in several violations, the following of which have yet to be remedied:
 - i. Apartment #1 (basement)
 - 1. Inadequate means of egress
 - a. Reported through email not inspection- from the Lancaster Building Inspector -- violation of egress.
 - ii. Apartment #2:
 - 1. Heating issue- thermostat control of the heat for the rooms in the unit.
 - a. Reported through email not inspection.
 - 2. Window Replacement
 - a. Bill is unsure if this has been replaced.
 - c. The property owner is unwilling or unable to provide a safe environment for tenants.
 - d. Condemnation Order → BOH is aware that condemnation requires the tenant to vacate the premises immediately, although recognizing that that is not always possible to do so, as people need a place to live. The intention of the board is not to inconvenience the tenants, in fact, the intention of the board is to help the tenant by ensuring they're living in a safe environment.
 - i. Assistance from Lancaster Health & Human Services for safe housing options may be available.
 - ii. Public Comment- David Rich—needs a bit of time as he is currently packing. He was told by the property owners' lawyer that he has until 9/31/2023 as the building is up for sale. David thinks he will need two (2) weeks to gather his belongings and fully move out.

- iii. Public Comment- Peter Goeller- work has not been completed but all materials have been ordered to finalize all violations.
 - 1. BOH requests that the property owner notifies BOH once violations are complete for a re-inspection to occur.
- iv. MOTION: To condemn the property at 55 Sylvan Rd, effective today, August 31, 2023, for not meeting code requirements for Apartment 1 & Apartment 2 leading to persistent unsafe living conditions.
 - 1. VOTE: unanimously passed
 - a. OUTCOME: Signs on the doors to be changed by NABH today or as reasonably practical
 - b. OUTCOME: Letter to be drafted by Bill & Samantha with hearing and vacate details
 - i. Letter to be sent to property owner and tenants.
 - ii. Letter to be posted on units at the property.

5. Discussion:

- a. 679 George Hill Rd- Septic system upgrade (current system is failed)
 - i. Certified letter/Signature required sent on 8/3/2023 received on 8/18/2023.
 - 1. Permit application & plan received on 8/23/2023 through email, which requires a Title 5 variance.
 - a. Plan needs to be reviewed, a variance hearing to be scheduled, abutter needs to be notified.
 - 2. Variance hearing scheduled for – Thursday September 28th, 2023, at 9:45am
 - a. OUTCOME: Property owner to be notified about hearing and abutter notices to be sent on their behalf by certified mail, return receipt requested (must be sent 10 days prior to the meeting)
 - b. OUTCOME: Bill & Samantha to draft letter to be sent to property owner
- b. 9:30am- Clinton Housing Authority- Danielle Fahey- Executive Director
 - i. Welcomed Danielle and explained NABHs collaboration with the Town of Lancaster BOH
 - 1. The Town of Lancaster has entered into a management agreement with Clinton Housing Authority for Bigelow Gardens
 - 2. NABH will reach out to Danielle with any communications around the property to determine how to handle/address the problems and who should be involved in resolution.
 - ii. Current business with Bigelow Gardens
 - 1. 45 Bigelow Gardens- on-going issue
 - a. Tenant awaiting window replacements due to mold, moisture, standing water in a few areas of the unit.
 - i. Standing water noted from a leaking sink pipe in the kitchen, back of the front and rear entry door, areas in the bathroom and caulking in the windows out-front.
 - ii. Standard order to correct was sent and correspondence was received that all items are fixed, except the window replacement.
 - iii. The hot water tank was recently replaced due to an

inspection from Danielle.

1. Danielle reported that she inspected all units at Bigelow Gardens
 - b. Phase 3 for window replacement (2-year project) through DHCD project
 - i. The project must go out to bid (if more than \$10,000) and the funds are currently in the formula funding from the state.
 - ii. RCAT- Jim- A liaison between the housing authority and the state.
 1. OUTCOME: Danielle will talk with Jim about this project and update the Lancaster BOH on the status of the window replacement project and bid timing.
 - iii. OUTCOME: NABH to send Danielle the Standard order to correct and previous executive directors communication to provide to the state to try and expedite the process to have this window replaced sooner in this unit. The unit is on the back of the property; therefore, unit is in Phase 3.
 1. Danielle will send the above information to the state to see if wait could be bypassed due to the open violation.
 2. Smoking in the units- received complaint from neighbor.
 - a. No-ban at Bigelow Gardens around smoking in the units.
 - b. The Local Housing Authority board voted to allow smoking on the property.
 - i. OUTCOME: Danielle to find out the date this decision was made.
 - c. 451 Sterling Street- Outdoor Hydronic Heater- Status update/follow up.
 - i. Certified letter/Signature required sent on 8/3/2023 and received on 8/5/2023.
 - ii. Smoke has not been seen from the unit- per NABH drive byes (multiple visits), complaint notified with no response.
 - iii. If smoke is noticed again (outside of the season permitting), DEP will be notified.
6. Lunch and Learn Series- Calendar
- a. Melinda provided 21 idea options- BOH needs a pared down list to use for a priority survey.
 - i. OUTCOME: Melinda to send Samantha 9 topics to then create and send a survey to the board members, HHS department leads (Kelly & Caitlin), and Tamara Bedard at NABH for their response's col and potential collaboration
7. Vaccine Clinic- October 5th, 2023, from 3p-6p
- a. BOH chairman, HHS department & Samantha to continue planning and executing this event.
 - b. Flyer created—awaiting NABH registration link.

8. Town Health & Wellness Fair
 - a. BOH chairman, HHS Department & Samantha to plan event.
 - b. Blood drive- Red Cross contacted?
9. EDS Trailer Update/Tour/Inventory
 - a. Finalized inventory provided to Jeff.
 - i. Sent to all board members and NABH.
 - ii. Copies of the finalized inventory have been placed in the trailer and in the old town hall office space (both spaces have full inventory (includes both spaces))
10. Document/Forms for updating.
 - i. Portable Septic
 1. Update from Bill on what surrounding towns do.
 - a. Local towns who have similar requirements: Groton, Ashby, Ashburnham & Lancaster.
 2. Proposed fee schedule from Melinda
 - a. Eliminating fee schedule for residents
 - b. Update commercial fee schedule and determine process for managing it
 - c. OUTCOME: BOH chairman asking board member Melinda to write a note
 3. Town Recycling center
 - a. Public Comment: Residents understanding is that the center was not financially sustainable after trying different options to keep it open.
 - ii. Dumpster-
 1. Update from Bill on what surrounding towns do.
 - a. Local towns who have similar requirements: Stow & Lancaster
11. Air Sensor placement
 - a. Sensors will be sent back the week of 9/4/23 by the Clean Air Network representative.
 - b. Involve TA (Kate), DPW, Select Board on placement throughout town.
 - i. OUTCOME: Samantha to compose a memo to be presented about placement (Melinda to determine placement)
 - ii. Get Select Board approval to keep 1-2 sensors for construction projects that come up in town for placement near those areas to monitor air quality.
12. Additional business that the Chair did not reasonably anticipate being discussed.

Next proposed meeting date → September 28, 2023, at 9:30am

Minutes → Approval minutes of July 27, 2023, meeting

MOTION: To approve the minutes of the July 27, 2023, meeting.

Vote: unanimously passed

10:59am Adjourn

Link below for Town of Lancaster Remote Participation Guidelines:

https://www.ci.lancaster.ma.us/sites/g/files/vyhlf4586/f/uploads/remote_participation_guidelines_2020_master.pdf

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