

TOWN OF LANCASTER
BOARD OF HEALTH
Lancaster Community Center
December 7, 2016

Present: Stephen Piazza, Chair, David Dunn, Clerk and Richard Belanger

Also Present: William Brookings, Agent, Nashoba Board of Health

There being a quorum present, the meeting was called to order at 9:00 AM.

Discussion, State Marijuana Regulations

Chair Piazza stated that Kopelman and Paige sent out a timeline for the new legalization of marijuana law. Chair Piazza stated that the Board does not need to take any action at this time.

Discussion, McGovern Blvd, Wastewater

Present: Thomas Bovenzi, Bovenzi and Bill Hannigan, Hannigan Engineering, Inc.

Mr. Thomas Bovenzi gave the Board an update on the wastewater permitting process through DEP that the properties on McGovern Boulevard they have been working on. Mr. Bovenzi stated that they have meet with DEP and there are still two outstanding issues, permitting of the well that will service the area and a filing with MEPA as the proposed well is within the ACEC which was not picked up when the well was first permitted several years ago. Mr. Bovenzi stated that the MEPA application is still on the review period. Mr. Bovenzi stated that the septic systems for the area are also still under review with DEP and they are in the process of gathering information for DEP.

Mr. Bill Hannigan stated that the proposed Dunkin Donuts would have a pressure closing system installed on site since Dunkin will be purchasing 3 lots along McGovern Boulevard.

Mr. Bovenzi stated that the original septic permit for Dunkin Donuts was for a 1,000 gallon system, but with the 2 other lots being purchased by Dunkin Donuts and with Title 5 estimates for usage on all 3 lots changing the type of system ensure that there will not be get close to the 10,000 gallon threshold that triggers a treatment plant.

Mr. David Dunn asked if there would be individual wells for each project along McGovern Boulevard.

Mr. Hannigan stated that there is a well located for the F.C. Stars property and they are in the process of getting two more wells in the area to service other projects.

Discussion, Kayrouz Realty LLC – Tobacco Permit Application

Present: Attorney Henry Cropsey

Mr. Henry Cropsey stated that his client has signed a point of sale for a building lot along McGovern Boulevard. Mr. Cropsey stated that his client would like to construct a gas station and convenience store on the property. Mr. Cropsey stated that his client will need a tobacco license in order to proceed with the purchase of the property and the construction of the gas station.

Mr. Cropsey stated that there is one license available in the town and was hoping the Board would allow for his client to apply for the available permit. Mr. Cropsey stated that the Board could issue the permit for his client with the understanding that the lot will be purchased by June 15th.

Mr. Belanger stated that he did not see an issue with the Board accepting the tobacco permit application and holding it for the property.

At 9:30 AM Mr. Richard Belanger made a motion to allow for Kayrouz Realty to apply for the remaining tobacco permit with the understanding that the Board will hold the permit till May 2017. Mr. David Dunn seconded the motion. No discussion. Vote: 3-0-0.

Discussion, Jones Crossing, Shared System

Present: Tyrone Jones

Mr. Tyrone Jones stated that all the shared system documents have been sent to the Board for review.

Chair Piazza stated that there are a lot of details inside the shared system documents. Chair Piazza stated that the documents have all been reviewed by Town Council to ensure all the documents are prepared correctly.

Mr. Jones stated that he was not sure of the process and thought that the Board would just approve the documents with their comments.

Mr. David Dunn stated that he would like to see the shared system documents discussed at a separate meeting in order to dedicate more time to the discussion.

Chair Piazza stated that he has many questions with the prepared documents and would also like to see it discussed at a separate meeting. Chair Piazza stated that he has some questions regarding the documents that he would like answered by town council before the Board holds a separate meeting. Chair Piazza suggested that Mr. Jones have his attorney also review the documents prepared by town council to ensure that he agrees to them as well.

Mr. Brookings stated that he agrees that a separate meeting should take place to discuss all the details of the documents but stated that both attorney's need to agree on the documents as well first.

Chair Piazza stated that once the documents have been approved by both parties the town will ask council to draft the final approval.

Discussion, Update on various Mill Street Complaints

Chair Piazza stated that he had sent an email to the other Board members in regards to the complaints that came into the office last week at various addresses along Mill Street. Chair Piazza stated that an

inspection had been made of all the areas of concern and nothing was observed to be a cause for the Board of Health to take action.

New Business

Discussion, Coffee Cabin – Kalon Farms

Present: Nancy Caria, owner

Nancy Ciara stated that she is seeking a variance to her mobile food service permit to allow her to not have to move her trailer on a daily basis as required.

Chair Piazza stated that he felt that even through the Board has the ability to grant a variance there are two different types of food service permits, mobile and non-mobile food service permits and those with a mobile food service permit must adhere to the regulations of that permit.

Mr. Belanger stated that if the food truck can be cleaned as need on site he sees no need to have to move it on a daily basis and the Board should grant the variance as requested.

Ms. Ciara stated that she has an agreement with a septic company to come to her location at Kalon Farms and pump the holding tank.

Mr. Dunn stated that he did not see any issues with approving the variance as requested as long as the Board receives proof that the holding tank has been pumped.

Chair Piazza stated that he felt that if the Board approves the variance then it may set an example with other possible venders in town.

At 10:03 AM Mr. Richard Belanger made a motion to grant the variance to allow the truck to not be required to move on a daily basis but will be required to submit quarterly records indicating how the sewage is being deposited. Mr. David Dunn seconded. No discussion. VOTE: 2-1-0.

Permits

842 Langen Road

Mr. Brookings stated that there are local variances requested for the upgrade to the septic system. Mr. Brookings stated that the permit is for a tank replacement and service line.

Mr. Belanger asked what variances were requested.

Mr. Brookings went over the variances that are being requested including sewage line length and distance to abutters. Mr. Brookings stated that he has no issue or concern with the variances requested or the plan.

At 10:10 AM Mr. David Dunn made a motion to approve the variances as requested. Mr. Richard Belanger seconded. No discussion. VOTE: 3-0-0.

Tobacco Permits

Chair Piazza signed the 3 tobacco permits that were up for renewal, Cumberland Farms two locations and Main Street Auto.

Mediation Lane

Mr. Brookings stated that he has a permit for the Board to sign for a D-box replacement. The Board signed the permit.

Title 5 Inspections

6 Highland Street – Pass
70 Mill Street Ext – Pass
89 Rigby Road – Pass
2360 North Main Street – Pass

149 Otis Street – Conditional Pass, Mr. Brookings stated that the D-Box needs to be replaced as well as a room count is needed. A letter will be sent to the owners.

Correspondence

The Board reviewed the correspondence folder

Minutes for Approval

The Board reviewed the minutes from November 2, 2016. Mr. Richard Belanger had a minor correction to the minutes.

At 10:14 AM Mr. David Dunn made a motion to approve the minutes from November 2, 2016 as amended. Mr. Richard Belanger seconded. No discussion. VOTE: 3-0-0.

Health Agent Mr. Bill Brookings Report

None

There being no further business to come before the Board, the meeting was adjourned at 10:15 AM.

Respectfully submitted,
Heather Hampson, LBOH Office Manager