



Accepted as amended 7/31/19

**Town of Boxford
Meeting Minutes of the Board of Health**

May 01, 2019

Present: Richard Fahrner, Richard Taylor, Alex Constan
Kendell Longo, Kristin Kwiatek

Absent: Heather Forand, Hans Jeppesen

Meeting called to order at 7:40 by R. Fahrner

Minutes, Announcements, and Bills

Bills: Bills were signed

Public Hearing on Regulation of Small Package Waste Water Treatment Plants

R. Fahrner gave an overview of what necessitated the new regulation that addresses a gap in the current regulations. The Town covers mostly residential dwellings up to 2,000 gallons per day. The State currently regulates outputs of 15,000 gallons per day and higher but soon to be changed to 10,000. Additionally, there are new developments that will have large outputs that have been proposed in Town that need to be regulated to ensure protection of the environment, groundwater, wetlands, and the new system's life expectancy as well as longevity of ownership.

D. Taylor read aloud three items added to the drafted regulation since it had been published.

R. Fahrner opened the floor for public comment:

Joe Hill from the Housing partnership addressed housing for seniors and asked the Board if a time could be set up for a future date for further discussion.

D. Taylor stated that the Board received some suggestions for the regulation from the developer of the Price property that will be looked at and discussed.

Natasha Grigg 92 Lakeshore Road- Stated her concern on the regulation and the effect it could have on affordable/community housing.

Selectman Charles Costello 42 Rowley Road- Asked the Board how the regulation would have impacted Four Mile Village and if the new regulation has been reviewed by a competent water supply and pollutant engineer.

D. Taylor explained that Four Mile Village would not have come under the regulation because there is a septic system for each unit and it has a public water supply **D. Taylor** spoke about the Pond Studies to support the setbacks that are based on real numbers.

Selectman Peter Perkins 385 Main Street- Questioned whether on not property such as the Boxford common could be grand fathered in and **D. Taylor** stated that Health regulations cannot be grand fathered in. Annual permit renewal was also discussed and its effect on residents.

Selectman Barbara Jessel 23 Lily Pond Road- Questioned what other towns are doing compared to what is being proposed. **D. Taylor** replied that not many towns have addressed the subject and that Boxford is only one of two towns in the State of Massachusetts that depends on private water and septic.

Anthony Andon 53 Silvermine Road- Asked the Board why there is a need for a new regulation. **D Taylor** explained that initially Boxford had a ban on all large systems until the DEP gave some guidance on what to do with large sytems.

Michael White 26 Highland Road- Commented that the Board of Health should get more information before moving forward with the regulation.

Joseph Bellefeuille 25 Silvermine Road- Commented that fines should be set in the regulations if proper permitting is not followed or if there is a system failure and also that the process for the regulation needs to be a little slower.

Andy Chu 161 Spofford Road- Commented that a bit more visibility is warranted on making the public aware of the new regulation and also states support of a regulation that offers the right protections.

Carolyn Bellefeuille 25 Silvermine Road- Commented that the language for the responsible party of a possible failed system was not robust enough.

Selectman Charles Costello 42 Rowley Road- Asked the Board if without the new regulation would it be defaulted to State law?

D Taylor explained that the State wants nothing to do with systems under 10,000 gallons per day so it is up to the local Board of Health.

A. Constan stated that the Board does not want a system that will not even meet residential regulations. There are certain setbacks for individual systems so there should be something similar for a large system between 2 and 9,999 gpd. If the Board of Health does not put anything in place to protect abutters wells or the wetlands, no one will certainly not the State.

A. Constan suggested that there be a better Town wide system of announcements when proposals are moving forward.

R. Fahrner stated that the public commentary will not be closed and the Board will continue to review the issue and not call for a vote. There will be continued input with the goal to review and close out the final regulation at the next Board meeting.

Little Red School House

R. Fahrner stated that the emergency meeting was based on the debris from the Little Red Schoolhouse. **R. Fahrner** gave an introduction of what happened and stated why it was a matter of public safety. The debris was dumped in the container at the recycling center. The dumpster containing the debris has been covered, moved out of the way. Fire and Police have been notified. The debris that was dumped was refused by JRM for pickup. **R. Fahrner** declared a health emergency to use State authority to make sure the building is taken care of in the correct manner. The building was declared off limits unless otherwise authorized by the Board of Health. **D. Taylor** stated there needs to be a re-education on how to handle a hazardous material situation. **D. Taylor motioned** the following order in which was read in to the record. It has come to the attention to the Board of Health that a possible health threat exists from exposure to asbestos as a result of demolition work at the structure known as the Little Red School House located at 26 Middleton Road, Boxford. Suspected asbestos was removed and discarded at a non-approved asbestos disposal site in violation of MGL Chapter 40 section 54, MGL Chapter 149 section 6-6F and Massachusetts 453 CMR 6.00. Until such time as it is determined there is no risk from the material removed from 26 Middleton Road the Board acting under MGL Chapter 111 Section 31,122, and 127A hereby declares a health emergency at the Little Red School House at 26 Middleton Road and orders the following actions 1) All activities at the Little Red School House are prohibited until further notice by the Board of

Health and or its Agent. 2) No person or persons including town employees shall enter the Little Red School house or immediate surrounding area as determined by the Board of Health without written authorization from the Board of Health. 3) No person or persons including Town employees shall approach the dumpster or the area around the dumpsters containing the suspect asbestos and located at the Boxford Recycling Center without written authorization for the Board of Health. Highly visible barrier tape notifying people of restricted access will be placed no less than 20 feet around the dumpster containing the suspected asbestos. Any person failing to follow this order is subject to a fine of not more than \$250.00 per day each day considered a separate event. According to MGL Chapter 111 Section 127A by order of the Board. **Seconded by A. Constan.** Approved **unanimously.**

Adjourn 9:25pm

The next meeting date to be determined and with no further business there was a **motion** made by **D. Taylor**, seconded by **A. Constan** the Board voted **unanimously** to adjourn.

Respectfully Submitted,

Kristin Kwiatek
Minutes Secretary

