



Town of Boxford

Meeting Minutes of the Board of Health

March 23, 2022

NO PUBLIC ATTENDANCE - REMOTE PARTICIPATION ONLY

6:30PM

Virtual Participation Only

This meeting will be audio and video recorded

To View: FIOS #39; Comcast #22; BCAT Tv website

For Directions to Participate via Zoom

Join Zoom Meeting

<https://us06web.zoom.us/j/85455764962?pwd=bk90Skk3WlZpTzVaOE dPQksxR0hJZz09>

ID: 854 5576 4962

Passcode: 309476

Present: Richard Taylor, Alex Constan, Heather Forand, Rhonda Hodge, Kendell Longo, Kristin Kwiatek, bcattv99, Jim Scanlan, John Morin, Joe Muraco, Mark Rielly, Scott Morin, Ted Merchant, Will Schkuta, Tom Mccarey, Rachel Zhao, Juni Zhao.

Absent: Richard Fahrner

Meeting Opened at 6:30pm by D. Taylor

Roll call indicated that the following members of the Board of Health were present remotely: D. Taylor, A. Constan, H. Forand, R. Hodge

Minutes

Minutes were reviewed from the February 16, 2022 meeting. A **motion** was made by **H. Forand** to accept the minutes, **seconded** by **A. Constan**. Approved **unanimously** by a roll call vote.

Bills

D. Taylor reviewed with the Board the February bills payable totaling \$57,078.04. A **motion** was made by **A. Constan** to accept the total bills of \$57,078.04 **seconded** by **H. Forand**. Approved **unanimously** by a roll call vote.

Variance 702 Main Street

James Scanlan from Scanlan Engineering was present to request the following variances to the Individual Sewage Disposal System Plan for 702 Main Street, dated 2/10/22 and submitted to the Health Department office on 2/22/22.

310CMR 15.227(5) To locate septic tank and pump chamber inlet and outlet inverts 12 inches above the estimated seasonal high groundwater. The tank inverts will be installed with rubber boots.

310CMR 15.104(4) Percolation tests required in the leach area needed a soil analysis due to soil saturation. c

D. Taylor opened the meeting for audience comments. Residents Rachel and Juni Zaho from 706 Main Street and Tom Mccarey of 694A Main Street had comments and questions for the Board.

A **motion** was made by **A. Constan** to accept two variances for 702 Main Street. The first from 310CMR 15.104(4) where a perc test is required to be done in the leach area to change that and allow that the use of soil analysis in accordance with Title 5 be used. The second variance for 310CMR 15.227(5) where the inlet and outlet inverts be 12 inches above established estimated seasonal high groundwater so that we allow the inverts with rubber boots to be below the estimated seasonal high groundwater. The variances are granted based on the system as designed is an improvement over the existing system and as designed the system is the best solution given the physical restrictions of the property **seconded** by **H. Forand**. Approved **unanimously** by a roll call vote.

Earth Moving Permit, The Willows

The letter drafted by **D. Taylor** was displayed for the Board to discuss and approve regarding the earth moving permit submitted for the Willows Development. **D. Taylor** summarized the five conditions included in the drafted permit letter. **A. Constan** commented that the permit is

not required only for the Willows development but also for other projects in town. D. Taylor stated that the regulation applies to everyone in town including private residences. Scott Cameron from the Morin-Cameron Group was present spoke on behalf of the Toll Bros. on the process of meeting with the Board for additional approval.

A **motion** was made by A. Constan to accept the letter as presented seconded by R. Hodge. Approved **unanimously** by a roll call vote.

Variance 10 King George Drive

John Morin from the Morin-Cameron Group was present to request the following variances to the Individual Sewage Disposal System Plan for 10 King George Drive, dated 3/2/22 and submitted to this office on 3/7/22.

310CMR 15.405(1)(a) Minimum Setback from Soil Absorption System to Property Line. Ten feet is required. Specifically, the BOH allowed a three-foot setback.

310CMR 15.405(1)(f) Minimum Setback Distance to a Surface or Subsurface Drains. Ten feet is required. Specifically, the BOH allowed a five-foot setback.

310CMR 15.405(1)(f) Minimum Setback Distance to a Private Water Supply. One hundred feet is required. Specifically, the BOH allowed a fifty-foot setback.

Boxford Board of Health Regulation Chapter 201 Section 9A Minimum Setback distance between a subsurface sanitary component and a wetland resource area. Fifty feet is required. Specifically, the BOH allowed a 27-foot setback for the septic tank and 38 feet for the pump chamber.

Boxford Board of Health Regulation Chapter 201 Section 9B Minimum Setback Distance between a leaching facility and a wetland resource area. One hundred feet is required. Specifically, the BOH allowed a 57-foot setback.

A **motion** was made by A. Constan to allow for 1) The soil absorption system to be placed not less than 57 feet from the wetlands where 100 feet is required. 2) Setback from the property line will be 3 feet where 10 feet is required by the State. 3) Setback in the drain line to the leach field for 5 feet where 10 feet is required. 4) Setback to the owners well to 50 feet where 100 feet is required. 5) The tank to the wetlands will be 27 feet where 50 feet is required. 6) The pump chamber will be 38 feet where 50 feet is required from the wetlands.

The variance is granted upon three conditions. 1) That a Presby alternative technology system will be installed. 2) An impervious barrier will be installed around the leaching facility. 3) The Morin Group will seek approval by the Conservation Committee of Boxford for the variance to the wetlands. The variance is granted based on the system as designed is an improvement over the existing system and the system is the best solution given the physical restrictions of the property. Seconded by R. Hodge. Approved **unanimously** by a roll call vote.

New Septic Regulations Final Vote

The new septic regulation that was already agreed upon and would need a preliminary vote for and a hearing with a final vote. **D. Taylor** asked the Board if they should move forward with a hearing that is required by Title 5 Chapter 111 Section 31. A **motion** was made by **A. Constan** to have a hearing at the next meeting for the proposed new septic regulation **seconded** by **R. Hodge**. Approved **unanimously** by a roll call vote.

National Grid/Utility Poles/Regulation

D. Taylor stated the Board met in executive session at 6:00pm with town counsel to discuss a letter that was received counsel of National Grid. The Board voted to move forward on the advice of counsel to attempt to reach out to the President of National Grid New England to see if there can be an arranged discussion to come to an agreement before moving to possible litigation.

Trash Sticker Fee/ Town Meeting

The Board has been asked to set the trash sticker fee for the Town meeting warrant. A **motion** was made by **R. Hodge** to keep the trash sticker fee at \$3.00 **seconded** by **A. Constan**. Approved **unanimously** by a roll call vote.

R. Hodge agreed to be the second representative from the Health Board along with **A. Constan** for the Solid Waste Committee and will be the official representatives if there needs to be a vote.

Andrews Farm Water

A. Constan stated that the Board has not heard back from the lawyer or the owner of the water company. **D. Taylor** suggested a letter should be sent stating the Board is aware of what is going on and that they need to have documents sent to DEP by the end of the month. **A. Constan** said that there is grant money available from the State that could help. **A. Constan** agreed to draft a letter to the owner of the water company.

Director's Report

K. Longo reminded the Board to complete their annual report submissions. **K. Longo** sent out the Best Practice Management Plan from NEMMC and their will be annual meeting will be on 3/31/22 **K. Longo** mentioned the report sent out by Julia Lobel the Pandemic Response Nurse and also mentioned the great job she has been doing for the Town.

COVID

D. Taylor talked about covid cases by month. D. Taylor stated that there are cases of BA.2 in the US and it has become a real surge in Europe especially in the UK. It is more infectious than Omicron. There is also a hybrid called Deltacron that is being watched.

Adjourn 8:00pm.

With no further business, on a **motion** made by A. Constan seconded by R. Hodge, the Board of Health voted **unanimously** with a roll call vote to adjourn.

Respectfully submitted,

Kristin Kwiatek
Minutes Secretary