



TOWN OF LANCASTER BOARD OF HEALTH

Thursday, March 28, 2024, 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- HHS Administrator, Kate Hodges- Town of Lancaster Town Administrator, Kelly Dolan- HHS Director, Sheila Mallette- Resident, Evan Carloni- Innovative Septic Design, Kevin Hinckley- Resident, Susan Munyon- Resident, Lori Hinckley- Resident, Jim Garreffi- NABH

Documents shared in meeting:

- 255 Mill Street- Septic plans
- Grant Way Sand pit photos (7 photos)
- TA Kate Hodges- DCAM presentation
- 320 Bolton Road- Septic plans
- Sterling Street Beaver Dam photo and permit document

Scheduled Discussion:

1. Permits:

- a. 320 Bolton Road—Septic system upgrade permit—home is being completely rebuilt.
 - i. Ground too wet to do a perk test—therefore a local upgrade approval is needed to complete a sieve test.
 1. 1,500- gallon tank by gravity, 1,000-gallon pump chamber that will pump up to that bed.
 - ii. The property owner is looking at a 4-bedroom design, which required you to fully comply with Title 5 (which could not be done due to the water table). The current house/structure is a 3-bedroom.
 1. If it dries out enough and a percolation test can be completed, the property owner may go for a 4-bedroom design.
 2. **OUTCOME:** NABH Bill Brookings to draft permit for a 3-bedroom home on behalf of the board.
- b. 57 Bigelow Rd—Septic tank permit
 - i. Adding/finishing bathroom in basement- requiring sewer ejector pump, current code required a 1,500-gallon tank minimum.
 1. The current system only has a 1,000-gallon tank, so the owner installed a new 1,500-gallon tank to allow for the sewage ejection pump to be used for the basement bathroom.
 2. **OUTCOME:** NABH Bill Brookings to draft permit on behalf of the board.
- c. 255 Mill Street Ext.- Septic system upgrade permit

- unit
 - ii. 12 Townhome Structures = 40 units (2,250 SF +/- per unit—includes garage)
 - iii. Linear Park
 - iv. Community space
 - v. Parking count = 180+/- Total Spaces
 - 2. Option 2: Mixed development, Moderate density- 168 Units/ 30,000 SF Commercial, 8 SF Homes, 16 Senior Housing Townhouses & Apartments
 - a. Adaptive reuse of 3 buildings (usable without a great deal of mitigation), removal of 3 current buildings
 - i. Mixed Use-
 - 1. 1-story (21,200 SF +/- Commercial)
 - 2. Existing 2-story- 7,500 SF +/- (Commercial)
 - 3. 2-story- 64 +/- Units (Residential)
 - 4. Existing 3-story- 18 +/- Units (Residential)
 - ii. Single-Family Residential
 - 1. 12 Total Units
 - iii. Townhouses
 - 1. 13 Townhouse Structures= 46 units (1,500 SF +/- per unit)
 - 2. 4 Townhome Structures = 14 units (2,250 SF +/- per unit—includes garage)
 - 3. 60 +/- Total units
 - iv. Senior Housing
 - 1. Existing 3 story = 14 units +/-
 - v. Community Space
 - vi. Parking Count= 350 +/- Total Spaces
 - 3. Option 3: Mixed development, Lower density- 198 Units, 20,000 SF Commercial, 8 SF Homes, 26 Senior Housing Townhouses & Apartments
 - a. Mixed-Use Residential
 - i. 1-story 19,800 SF +/- (Commercial)
 - ii. 2-story 110 +/- Units (Residential)
 - b. Single Family Residential
 - i. 8 total units
 - c. Townhouses
 - i. 9 Townhome Structures- 1,500 SF +/- per unit = 32 units
 - ii. 6 Townhome Structures- 2,250 SF +/- per unit (including garage) = 22 +/- units
 - iii. 54 +/- Total units
 - d. Senior Housing
 - i. Existing 3 story= 14 units
 - ii. Proposed 2 story = 12 units
 - iii. 26 +/- Total units
 - e. Linear Park
 - f. Community Space

- g. Parking Count= 400 +/- Total Spaces
- b. 566 Harvard Road- Trailer Report
 - i. The property owner notified the town that the situation is being resolved by the removal of the trailer and invites an inspection once completed.
 - 1. BOH will conduct an inspection.
- c. 489 Neck Road- Trailer Report
 - i. NABH Bill Brookings and BOH member Melinda Apgar, completed an inspection last week, owner and occupant present.
 - 1. Discussion with all present at the inspection included temporary housing not being allowed without prior written permission from the Board of Health.
 - 2. Trailer inspection completed.
 - a. Hand-written report was completed and provided to the owner.
 - b. NABH Agent Bill Brookings will draft an order letter that will be mailed certified to the owner and to the occupant by regular mail.
 - 3. Occupancy of temporary housing will need to cease.
 - a. Next steps- wait to see if a response is received from the certified mail.
- d. 700 Fort Pond Rd- United Ag. Turf- Certificate of Compliance/ Title 5 Violation Status
 - i. Notice from Town Administrator Assistant—Business license application not returned, therefore license not renewed.
 - ii. BOH Chairman Jeff Paster—Reached out to Mike Silva, Town of Lancaster Building Inspector—Should United Ag. & Turf be allowed to serve the public without a license- seems like a potential liability issue outside of the BOH issues.
 - 1. Jeff will report at next meeting Mike’s response.
- e. James Monroe—Per Town Administrator Assistant, in order for the companies fine to be paid to the town and designated for hazardous waste purposed, monies must be received as donation/gift.
- f. 1263 North Main Street- Septic system upgrade status
 - i. Failed Title 5—the 2 years to upgrade the system was January 5, 2024.
 - ii. Soil testing was completed, a plan prepared, permit issued, but no install occurred.
 - 1. OUTCOME: BOH will need to reach out to see what the timeframe for installation is.
 - 2. If the owner chooses not to work with BOH, then BOH can pursue violation of Title 5 and violation of housing code.
- g. NABHA Jim Garreffi- Nashoba By-law update (11:00am)
 - i. NABH Agency updates
 - 1. Bylaw changes
 - a. Minor adjustments to the bylaws with the loss of Nashoba nursing and hospice.
 - b. Quorum of 5 with 16 towns represented.
 - 2. Public Health Excellence Grant- DPH grant recipient.
 - a. The goal of this it to get everyone to the same level of service for the people in our communities.
 - b. The grant is providing:

- i. Full-time communications and education specialists- Jenna Montgomery
 - ii. Full-Time health agent working in Shirley & Lunenburg
 - iii. Full-time health agent- currently in training and will be taking the soil evaluation course.
 - iv. Part-Time food inspector to help keep with the food service establishment.
 - v. Purchased foodservice inspectional software.
 - 3. Budget Meeting
 - a. Will be moved to start of December seeing most towns are gathering budget details to submit for the start of January.
- h. Brockelman Road—Trailer Update
 - i. Property that contains a trailer with numerous tarps hung from lines to tress. The concern is that someone is living in this area.
 - ii. LPD visited the property and determined the property owner does stay on this property from time to time but also holds another property as a main residence in Lancaster.
 - 1. Detective Shaw reported –A conversation with property owner stating this is not primary residence.
 - iii. BOH has no evidence this is being used as a permanent residence.
 - iv. BOH member, Melinda Apgar—Comment: What is the difference between this case and the other trailer cases on the agenda? The only difference is this property is owned by the individual staying.
 - 1. BOH Chairman, Jeff Paster—Response: It’s not so much because he owns the property, it’s because he has a main residence, that presumably meets all standard housing code requirements. The other trailers cases on the agenda are occupied by individuals full time as their main residence on property they don’t own.
 - 2. NABH Agent, Bill Brookings comment- The definition of a dwelling unit in the housing code is a room or group of rooms within a residence used or intended for use by individual family or household, for living, sleeping, cooking, eating.
 - a. If the board looks to pursue this, they may want to talk with the town council to determine if this would or would not be considered temporary housing.
- i. Grant Way- Dust/sand complaint
 - i. The resident reached out to BOH with dust/sand complaints on and around their property located at 194 Grant Way (about 100 feet away from the piles). The resident’s property, house, and possessions are being affected by sand (pictures provided), it is a nuisance and potentially a health hazard on particularly windy days.
 - ii. Resident topic presentation- The sand pit is parcel 32a, which is a sand and gravel facility, owner y Laurel Realty.
 - 1. The topsoil of the property was removed, and the sand was dug out and placed in piles. The sand is very fine.
 - 2. Residents are unable to go outside on windy days and the window must remain shut due to the sand blowing around.

- iii. Resident Comment- This issue has been going on for several years, but as residents we were unaware that it would go on for this long of a period.
 - iv. NABH Agent Bill Brookings comment- this type of complaint would fall under the Dust/Odor/Noise regulations. BOH will need to work with the property owner to arrange an inspection of the site to see what can be done for mitigation.
 - 1. Residents of 194 Grant Way have granted permission for a site visit through their property by the BOH.
 - 2. Bill Brookings recommends for the residents to reach out to the Select Board.
 - 3. Bill Brookings suggests the residents check and see if/who in the Town issues Earth removal products permits (ERP), as there could be some type of dust control requirements under that permit.
4. CY 2023 BOH Annual Report Process
- a. Report is written, circulated for comments, and sent to the town for processing.
5. Additional business that the Chair did not reasonably anticipate being discussed.
- a. Various Committees BOH is involved with—when the board reorganizes in May with the election, board committee designees will need to be updated.
 - i. NABH- 4 to 6 times a year to replace John Farnsworth
 - 1. Melinda Apgar will resume John’s role.
 - ii. PHEP
 - 1. Melinda to transition into Jeff’s role.
 - b. Blood Drive- May 21, 2024, 9am – 4pm, to be held on the Town Green.
 - i. BOH Chairman presented to the Town Select Board for permission to host this event.
 - c. Neighborhood Renewal Division
 - i. Correspondence with Samantha on the Boards behalf—describing the program and the division.
 - 1. Move this topic to June’s BOH agenda.
 - d. Website postings—Jeff to circulate items below before posting.
 - i. Mosquito control- spraying to start up again.
 - ii. Department of Public Health—issued new respiratory disease guidelines.
 - iii. Increase in measles cases.
 - iv. Dumpster & Portable Septic fee are no longer required.

Next proposed meeting date → April 25, 2024

Minutes → Approval of minutes from January 25, 2024, meeting

MOTION: To approve the January 25, 2024, meeting minutes.

VOTE: unanimously approved.

Approval of minutes from February 29, 2024, meeting

MOTION: To approve the February 29, 2024, meeting minutes.

VOTE: unanimously approved.

Meeting adjourned at 11:21am

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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