

Time being 7:00 p.m. **August 19, 2019** Paul Steeves opened the meeting of the Foxborough Board of Health, under the Open Meeting Laws of the State of Massachusetts. Paul Steeves, Chairman presiding, Eric Arvedon, Clerk, Pauline Zajdel, Health Director, and Diane Passafaro, Public Health Coordinator were present. Meeting took place in the Andrew A. Gala, Jr. Meeting Room inside Foxborough Town Hall at 40 South Street. Minutes were taken by Diane Passafaro.

Others present:

Elana Dekkers, Foxborough Resident

Javed Hussain, Foxborough Resident

Eric Arvedon read the agenda of the August 19, 2019 Foxborough Board of Health meeting aloud.

7:00 p.m. Bay Colony Group, Inc., Engineering Firm for 19 Adams Street - Septic Variance

Representing the Owner of 19 Adams Street was Richard Leslie with Bay Colony Group, Inc. The need for a septic system repair came after a Title V inspection, that was conducted on May 7, 2019, resulted in a failure. Soil testing that was conducted on August 13, 2019 revealed 68 inches of fill and groundwater at seven feet below grade. These conditions in the field warranted a soil sample to be collected and submitted for a sieve analysis. R. Leslie informed the Board that the results of the sieve analysis had not yet been received but they are expecting the soils to be classified as sand and gravel which would coincide with the field observations that were noted under the fill layer. He further explained that alternative locations to install the system were looked at, however, due to the home's existing plumbing layout and with lot size and topography constraints, the proposed location was the most feasible. He further added that if the Board ultimately grants the requested variances associated with the proposed location, this eliminates the need for the property to have a raised or pump system. The proposed location is also an improvement from where it is currently installed since it is proposed to be located farther away from existing wetlands and a private well on the property used for irrigation. R. Leslie requested the following four variances;

- Bottom of soil absorption system three (3) feet above estimated high groundwater where five (5) feet is required (310 CMR 15.212).
- Bottom of soil absorption system three (3) feet above estimated high groundwater where five (5) feet is required (Local by-law).
- Soil absorption system 60 feet from a wetland where 150 feet is required.
- Soil absorption system 59 feet from an irrigation well where 100 feet is required.

(Abutters were notified on August 14, 2019 via certified mail-return receipt, however, no green cards were available or submitted during the Board of Health Meeting)

E. Arvedon made a motion to approve a two foot variance and allow the soil absorption system to be installed three feet above the estimated high groundwater, where five feet is required per 310 CMR 15.212 and local by-law, for the septic repair at 19 Adams Street. Variance approval is contingent upon receipt of sieve analysis and submittal of all abutter green cards. P. Steeves seconded the motion and called for discussion.

E. Arvedon expressed his concern associated with the proposed location of the septic system and its close proximity to the existing irrigation well on the property. He commented on the well's shallow depth of 13 feet and whether the well's draw during times of normal use will be cause for concern regarding septic infiltration. To prevent possible contamination, E. Arvedon commented on the need for a polybarrier or for the well to be sampled. It was decided that further discussion and decisions on this matter would continue during the variance request associated with the distance of the system to the well.

Hearing no further discussion, the motion on the floor stands. P. Steeves called for a vote. All in favor, motion passed 2 – 0.

E. Arvedon made a motion to approve a 90 foot variance and allow the soil absorption system to be installed 60 feet from a wetland where 150 feet is required per local by-law, for the septic repair at 19 Adams Street. Variance approval is contingent upon receipt of sieve analysis and submittal of all abutter green cards. P. Steeves seconded the motion and called for discussion.

R. Leslie stated that a meeting with the Conservation Commission was scheduled for August 26, 2019.

Hearing no further discussion, P. Steeves called for a vote. All in favor, motion passed 2 – 0.

E. Arvedon made a motion to approve a 41 foot variance and allow the soil absorption system to be installed 59 feet from the property's existing irrigation well where 100 feet is required per local by-law, for the septic repair at 19 Adams Street. Variance approval is contingent upon receipt of sieve analysis and submittal of all abutter green cards. Paul Steeves seconded the motion and called for discussion.

E. Arvedon commented that the use of a polybarrier may not be appropriate in this situation and commented that the well should instead be tested for markers associated with septic infiltration prior to installation and again in six months to observe any impacts of the well. R. Leslie commented that six months would be the middle of winter when normal use would not be occurring and requested that the Board specify a particular month that the two samples would be required to be tested. E. Arvedon acknowledged R. Leslie's comments and the discussion concluded.

E. Arvedon moved to amend the motion on the floor by adding the following;

The existing irrigation well located at 19 Adams Street shall be sampled twice. Initial sampling must occur before the end of September 2019 with a second sample to be collected during the month of June 2020. Water samples shall be collected and analyzed for markers indicative of septic infiltration and include the following; Nitrite, Nitrate, Heterotrophic Plate Count, Total Coliform and E-coli.

Hearing no further discussion, P. Steeves called for a vote. All in favor, motion passed 2 – 0.

P. Zajdel stated she would formulate a letter to the homeowner detailing the Board's decision related to their variance requests and the contingencies associated with their approvals. A copy of this letter would also be sent to Bay Colony Group.

P. Steeves opened the room for comments or questions relative to the septic variances at 19 Adams Street. Hearing no comments, P. Steeves declared the matter closed at 7:28 p.m.

7:28 p.m. E. Arvedon made a motion to approve the following bills:

Sarah LeRoux (Tobacco Comp. Checks - August)	\$390.00
Nat. Env. Health Assoc. (CP-FS Cert. App – J.R.)	\$370.00
The Arc South Norfolk (August services)	\$812.83
Mass. Env. Health Assoc. (Conference – P.Z., J.R.)	\$385.00
(Membership – P.Z., J.R., D.P.)	\$120.00
P.Z. (August Communications/Travel)	\$62.53
D.P. (August Communications)	\$50.00
J.R. (August Communications)	\$50.00
Rea-Craft Press, Inc. (Food Inspection Forms)	\$140.00

P. Steeves seconded the motion. Hearing no discussion, P. Steeves called for a vote. All in favor, motion passed, 2 – 0.

7:31 p.m. E. Arvedon made a motion to approve the minutes of July 22, 2019 as written. P. Steeves seconded the motion. Hearing no discussion, P. Steeves called for a vote. All in favor, motion passed, 2 – 0.

7:32 p.m. **Health Directors Updates**

- A letter of resignation, effective immediately, from Board member Todd Whitehouse was received by the Foxborough Health Department on August 1, 2019.
- The contract with The Arc of South Norfolk, to provide service to the residents of Foxborough from July 1, 2019 to June 30, 2020 has been received. All Board Members present, the Contract was signed.
- Executive EMS Officer, Tom Kenvin, is preparing for a vaccination program to take place next year. The program will focus on providing vaccinations to Foxborough first responders and residents that are homebound. He continues to network with various organizations and recently attended the Bristol Norfolk monthly Medical Reserve Corp. (MRC) meeting. He has also joined the Public Health Nurses Association.
- Recent renovations of four existing concession stands inside Gillette Stadium are almost complete. The new locations will add a grab and go element to their existing operation. An inspection of these areas will occur this week.
- The Massachusetts Department of Public Health (MA DPH) will be holding a webinar on August 20, 2019 to update and discuss the elevated Eastern Equine Encephalitis (EEE) risk occurring in Bristol and Plymouth counties. In response to Foxborough's risk level at "moderate", the Foxborough Health Department has distributed a EEE fact sheet throughout the Town buildings, Departments and social media. If Foxborough's risk was to elevate to high or critical, the Board of Health should be ready to inform residents and make appropriate recommendations to minimize the risk to the public.
- Tobacco Control Officer, Sarah LeRoux conducted a round of compliance checks at all Foxborough permitted tobacco establishments in August. No sale to minors was reported.

7:45 p.m. E. Arvedon made a motion to adjourn. P. Steeves seconded the motion. All in favor, motion passed 2 – 0.

The next meeting is scheduled for September 9, 2019.

Eric Arvedon, Clerk/dp