

Time being 7:00 p.m. **October 21, 2019** Eric Arvedon opened the meeting of the Foxborough Board of Health, under the Open Meeting Laws of the State of Massachusetts. Eric Arvedon, Chairman presiding, Paul Steeves, Vice Chairman, 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.

Members Absent: Elana Dekkers, M.D., Clerk

Eric Arvedon read the agenda of the October 21, 2019 Foxborough Board of Health meeting aloud.

**7:00 p.m. Darrell Caron, 2 Peterson Lane - Variance request: Set-back from the proposed inground pool to on-site septic system.**

Others present relative to this agenda item  
Tyler Call, Abutter – 4 Peterson Lane

Representing 2 Peterson Lane was Owner of the Property, Darrell Caron. D. Caron explained to the Board his proposal to install an inground pool on his property and described the lot constraints he has faced associated with the pool placement. Lot constraints include a 10 foot and 25 foot-wide drainage easement bordering the North and East sides of the property as well as the current location of the on-site innovative/alternative (I/A) fixed activated sludge treatment (FAST) septic system in the backyard. Easements are currently owned by Briarwood Construction but ownership will be transferred to the Town upon completion of the Project. He further explained the pool has already been reconfigured to the extent possible to accommodate the existing constraints and shifting the pool any distance away from the current proposed location would result in encroachment of the easement. Should encroachment occur, this would require a change in title on the deed of all existing homeowners within the development. Due to the constraints discussed, D. Caron requested the following variance;

- To allow the proposed inground pool to be installed eight (8) feet from the soil absorption system where 20 feet is required

D. Caron added that the FAST system currently has a polybarrier installed on the east side of the soil absorption system which would be adjacent to the proposed pool location.

E. Arvedon expressed his concern with the 12 foot variance requested and the close proximity of the proposed pool to the septic system and polybarrier. After reviewing the plans that were submitted with the variance request, showing a hand-drawn sketch of the D. Caron's proposal, E. Arvedon stated he did not feel comfortable approving a variance of this magnitude without an Engineer stamped-approved plan. He further commented that he would've like to see further

information and distances relative to other pool related components such as the pool apron and a proposed walkway. He stated his main concern was the protection of the Town's groundwater and the consequences the installed pool would have on future property owners if the septic system were to fail.

P. Steeves stated he could understand D. Caron's frustration, however, given the size of the lot and with the current FAST system on the property, he did not believe a pool could fit.

D. Caron, with his wife, left the meeting at 7:25 p.m. prior to any motion made.

E. Arvedon asked if there was anyone present relative to 2 Peterson Lane. Tyler Call, an abutter at 4 Peterson Lane, spoke. As an abutter, he wanted to gather information about the requested variance and how it would affect his property if issues arose in the future. E. Arvedon stated this variance request would be tabled, however, the matter could be re-opened after receipt of additional documentation and at the request of the Owner. He informed T. Call if additional meetings were to occur, notification to abutters would be required again.

Hearing no further discussion, P. Steeves moved to table the discussion relative to the set back variance at 2 Peterson Lane. E. Arvedon seconded the motion. All in favor, motion passed 2 – 0.

The matter of 2 Peterson Lane was closed at 7:28 p.m.

**7:28 p.m.** P. Steeves made a motion to approve the following bill:

Mass. Assoc. of Health Boards (Annual Cert. Program – E.D.) \$115.00

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

**7:29 p.m.** P. Steeves made a motion to approve the minutes of October 7, 2019 as written. E. Arvedon seconded the motion with the following edits;

- Page 2 - Strike out the word "*corrected*" and replace with "*explained to*"
- Page 5 – Strike out the word "*expressed*" and add "*began the discussion by expressing*"

Hearing no further discussion, E. Arvedon called for a vote. All in favor, motion passed 2 - 0.

**7:31 p.m.** **Health Directors Updates**

- A memo relative to the proper use of hair restraints, specifically beard restraints, was developed and will be provided to all Foxborough food service establishments as necessary and when violations are noted.
- The Board of Health meeting originally scheduled for November 4, 2019 has been cancelled due to the scheduled Special Town Meeting.
- A quick discussion occurred referencing Governor Baker's recent "public health emergency" declaration, associated with the use of e-cigarettes and vaping products among youth. The Board agreed the best course of action would be to hold a discussion on this epidemic during a public hearing at a future Board of Health meeting.

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

The next meeting is scheduled for November 18, 2019.

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Elana Dekkers, Clerk/dp