

Time being 7:00 p.m. **March 2, 2020** 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, Elana Dekkers, M.D., 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.

**7:00 p.m. Murphy Vandervelde, Stoner's Pizza – New establishment, 23 Patriot Place**

Those present and representing Stoner's Pizza were Murphy Vandervelde, Owner, Jack Vandervelde, Founder of Helix eSports, and Geoff Fernald, General Manager.

M. Vandervelde explained the concept of Helix eSports as a social avenue for video gamers of all ages to gather and play. As part of the social aspect, food selection compatible to the typical gaming crowd is included as part of the venue, originally named Stoner's Pizza. M. Vandervelde informed the Board for the record that they had recently changed their name prior to their opening and the restaurant is now called Bytes Restaurant.

M. Vandervelde also stated the existing bar is not currently being used but is clean and they will continue to maintain it clean. He expressed interest in being able to provide and serve alcohol on premises and will be working with the Town on obtaining a license. He understands a request for inspection with the Health Inspector will need to occur before he opens it.

Geoff Fernald, General Manager of Bytes Restaurant provided his food service and managerial background and summarized to the Board several food safety practices in place at the establishment.

P. Steeves inquired on the number of employees who are currently a certified food protection manager. G. Fernald answered he himself was certified. P. Steeves emphasized the importance of having a properly trained person in charge during all hours of the operation. G. Fernald acknowledged P. Steeves comments and will work on getting his two shift managers properly trained. M. Vandervelde added that all Staff, including those in the eSports gaming portion of the venue as well as all food service employees will be trained in Chokesaver.

P. Zajdel informed the Board that M. Vandervelde was issued their food service license and the establishment opened on Friday, February 28, 2020.

Hearing no further discussion relative to Bytes Restaurant located at 23 Patriot Place, E. Arvedon called the matter closed at 7:19 p.m.

**7:19 p.m. Bay Colony Group, William R. Buckley, Jr., P.E. – Septic variance request: Distance from proposed pool to soil absorption system at 2 Peterson Lane**

Representing the Owner of 2 Peterson Lane was Principal Engineer, William R. Buckley, Jr. of Bay Colony Group, Inc.

Others present for this agenda item:  
Darrell Caron, Owner – 2 Peterson Lane  
Mike Ferrone, Briarwood Construction  
Tyler Call, Abutter – 4 Peterson Lane

*(All abutters were notified and abutter green cards were submitted to the Board)*

W. Buckley presented the Board with a “Septic System Modification” design plan showing the proposed location of a 12’ by 26’ pool and patio in relation to the onsite septic system and its existing 40 mil polybarrier. Wetlands to the northwest and a drainage easement to the east also limit the feasible locations where a pool could be installed on the property. W. Buckley provided his professional opinion that the existing polybarrier would provide equal superior protection to the environment and requested the following variance;

- *To allow an inground swimming pool 10 feet from a soil absorption system where 20 feet is required (310 CMR 15.211).*

P. Steeves made a motion to approve the variance and allow the construction of an inground swimming pool at 2 Peterson Lane to be located 10 feet from the soil absorption system where 20 feet is required with the following conditions;

1. Bay Colony ensures the polybarrier is not damaged during the pool installation
2. No plantings with deep roots are allowed over the soil absorption system
3. No fence posts are allowed to be installed in the soil absorption system
4. No blocking access to the d-box or tank covers
5. No concrete pad over soil absorption system

E. Dekkers seconded the motion. E. Arvedon called for discussion.

E. Dekkers asked if the Foxborough Health Department would be notified that all requirements were met and installation was complete. E. Arvedon stated Bay Colony will be required to send an as-built at the completion of the project.

Tyler Call, abutter at 4 Peterson Avenue, commented he was present for educational purposes only and all questions he had, had already been answered.

Hearing no further discussion, E. Arvedon called for a vote on the motion. All in favor, motion passed 3 – 0.

Hearing no further discussion relative to the septic variance at 2 Peterson Lane, E. Arvedon called the matter closed at 7:45 p.m.

**7:45 p.m.** Betsy Allo introduced herself as a Foxborough resident who was present for the purposes of observing the meeting. A conversation between Ms. Allo and the Board ensued as she explained her background in public health and her interest in learning more about the role of the Board of Health.

**7:58 p.m.** E. Dekkers made a motion to approve the following bills:

MA Health Officers Assoc. (Sanitation Seminar – JR)	\$75.00
Rea-Craft Press, Inc. (Food Insp. Forms)	\$280.00
ThermoWorks, Inc. (Two Food Insp. Thermometers)	\$167.00
J.R. (Tuition Re-imburement)	\$1,405.25
The Arc South Norfolk (February Services)	\$812.83
Fred’s Auto Repair, Inc. (Town Car Vehicle Insp.)	\$35.00
The Pro’s Care Care Complex (Town Car Wash/Vacuum)	\$32.00
Nat. Env. Health Assoc. (CHET Renewal – PZ)	\$125.00

P. Steeves seconded the motion. Hearing no discussion, E. Arvedon called for a vote. All in favor, motion passed, 3 – 0.

**7:59 p.m.** P. Steeves made a motion to approve the minutes of February 3, 2020 as written. E. Dekkers seconded the motion. Hearing no discussion, E. Arvedon called for a vote. All in favor, motion passed 3 – 0.

E. Dekkers made a motion to approve the minutes of February 19, 2020 with the following edits;

- Page 2, Paragraph 1 – Strike out the phrase “ask his suppliers for letters of guarantees” and replace with “purchase fish already certified as parasite free and maintain the supplier’s letters of guarantee”

E. Arvedon seconded the motion. Hearing no discussion, E. Arvedon called for a vote. All in favor, motion passed unanimously with P. Steeves abstaining.

*(P. Steeves was not present during the February 19, 2020 Board of Health meeting)*

**8:03 p.m. Health Directors Updates**

- The septic system on the property located at 137 Central Street, currently owned by the Foxborough Regional Charter School, is in failure. A letter addressed to the Board of Health Chairman in response to the failure status has been received and explains that the property is being used for storage only with no accessibility to the bathrooms. The letter further explains future changes in use to the property by the school and the potential for the system to be abandoned at that time. They will provide updates on timelines in future correspondences.
- Mansfield Health Agent Amy Donovan-Palmer, has submitted a grant application to the State that would allow and provide Residents of three

different Towns, Foxborough being one of them, with “Shared Services” related to hazardous waste disposal opportunities, education and outreach. If the grant is awarded, the Foxborough Board of Health and the Foxborough Town Manager will need to vote and sign off on this Shared Services Agreement at a later date.

**8:13 p.m.** E. Dekkers made a motion to adjourn. P. Steeves seconded the motion. All in favor, motion passed 3 – 0.

The next meeting is scheduled for March 16, 2020.

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Elana Dekkers, M.D., Clerk/dp