

Time being 7:00 p.m. **September 14, 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, Betsy Allo, MPH, Clerk, John Robertson, Jr., Health Inspector 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.

(Chairman Eric Arvedon discussed proper social distancing measures to be expected and followed by all those present during the meeting)

**7:00 p.m. William R. Buckley, Jr., P.E. – Bay Colony Group, Inc.
Septic Variance Request – 79 Ridge Road**

Representing the Owner of 79 Ridge Road was Principal Engineer William R. Buckley, Jr. and Project Engineer Cameron Gray with Bay Colony Group, Inc.

C. Gray presented the Board with design plans relative to the proposed septic repair at 79 Ridge Road. Due to several constraints on the property and prioritizing meeting the required setbacks to the foundation and water line, C. Gray asked for the following variances.

- Soil absorption system, septic tank and pump chamber to be located four (4) feet from the property line where 10 feet is required (310 CMR 15.211(1))
- Septic tank to be located 40 feet from an inland bank where 100 feet is required (Local By-law)
- Soil absorption system to be located 134 feet from surface water where 150 feet is required (Local By-law)

He further explained that the property is located in a Zone II and will have a deed restriction placed on the property restricting it to two bedrooms.

P. Steeves advised that the piping, which in part is noted to be located under the driveway, should be able to withstand any anticipated load requirements. Bay Colony acknowledged his comment and stated they will look into options for that section of pipe.

E. Arvedon opened the room for comments. No comments were provided.

B. Allo made a motion to grant a six (6) foot variance and allow the soil absorption system, septic tank and pump chamber to be located four (4) feet from the property line where 10 feet is required per Title V regulations, for the septic repair at 79 Ridge Road. P. Steeves seconded the motion. Hearing no discussion, E. Arvedon called for a vote. All in favor, motion passed 3 – 0.

B. Allo made a motion to grant a 60-foot variance and allow the septic tank to be located 40 feet from an inland bank where 100 feet is required per local by-law, for

the septic repair at 79 Ridge Road. P. Steeves seconded the motion. Hearing no discussion, E. Arvedon called for a vote. All in favor, motion passed 3 – 0.

B. Allo made a motion to grant a 16-foot variance and allow the septic tank to be located 134 feet from surface water where 150 feet is required per local by-law, for the septic repair at 79 Ridge Road. P. Steeves seconded the motion. Hearing no discussion, E. Arvedon called for a vote. All in favor, motion passed 3 – 0.

(Green cards, demonstrating abutter notification, were submitted to the Board)

Hearing no further discussion related to the septic repair at 79 Ridge Road, E. Arvedon declared the matter closed at 7:18 p.m.

**7:18 p.m. Michael A. Trowbridge, RPLS/CSE – Hutchins-Trowbridge Associates
Well Variance Request – 108 Beach Street**

Representing the Owner of 108 Beach Street was Michael A. Trowbridge with Hutchins-Trowbridge Associates. The Board was provided the August 30, 2020 dated plan entitled “*Proposed Well Plan*”. The plan was developed following a survey of the property and detailed the location of the proposed irrigation well and its setbacks to both the property lines and septic components.

M. Trowbridge approached the Board and informed them of recent developments surrounding the proposed well installation. He explained a recent walk of the proposed installation site by the new driller revealed potential issues with drill rig accessibility due to a mature maple tree located on the property. Due to these potential issues that may arise during the installation, M. Trowbridge requested that the original variance request of 10 feet be increased to 25 feet in the event the well location needs to be adjusted.

P. Steeves made a motion to grant a 25-foot variance and allow the proposed well at 108 Beach Street to be located no closer than 75 feet from the soil absorption system. E. Arvedon called for discussion. Hearing none, E. Arvedon called for a vote. Motion passed to approve 2 – 1.

(Abutters were notified. Proof of these mailings were not available during the meeting, but were submitted by M. Trowbridge via email on September 15, 2020)

Hearing no further discussion related to the proposed irrigation well located at 108 Beach Street, E. Arvedon declared the matter closed at 7:30 p.m.

**7:30 p.m. William E. Gottwald, Jr. P.E. – DMG Associates
Septic Variance Request – 21 Garfield Street**

(During the August 31, 2020 Board of Health meeting, the Board reviewed the plans and variance requests for the septic repair at 21 Garfield Street. Due to discrepancies with the design plan and disposal works application, and the Engineer not being present for his appointment, the Board decided to table the discussion until the following meeting, September 14, 2020)

Representing the Owner of 21 Garfield Street was Principal Engineer, William E. Gottwald, Jr. with DMG Associates. W. Gottwald provided the Board with clarification and answers to their questions. He further explained that the 440-gallon design flow was accurate and was determined by the number of bedrooms listed with the Assessors Department and what existed in the house. He acknowledged the disposal works application was filled out incorrectly.

(W. Gottwald later completed a new application during the meeting to accurately reflect the designed system)

B. Allo made a motion to approve the following variance requests for the septic repair at 21 Garfield Street;

- A 14-foot variance to allow the soil absorption system to be located six (6) feet from the cellar wall
- A four (4) foot variance to allow the soil absorption system to be located six (6) feet from the property line
- A three (3) foot variance to allow the septic tank to be located seven (7) feet from cellar wall
- A four (4) feet variance to allow the septic tank to be located six (6) feet from the property line
- A one (1) foot variance to allow the groundwater separation under the soil absorption system to be four (4) feet.

E. Arvedon called for discussion. Hearing none, E. Arvedon called for a vote. All in favor, motion passed, 3 – 0.

(One green card, demonstrating abutter notification, was submitted to the Board)

Hearing no further discussion related to the septic repair at 21 Garfield Street, E. Arvedon declared the matter closed at 7:43 p.m.

7:43 p.m.

Erin Moore introduced herself to the Board as a Mansfield resident who was enrolled in the MSN Nursing program at Northeastern University. She explained it was required of her to attend a Board of Health meeting as one of the requirements for the program. E. Moore spoke on her background in nursing and work experiences she has had during the COVID-19 pandemic.

8:07 p.m. P. Steeves made a motion to approve the minutes of August 31, 2020, as written. B. Allo seconded the motion. Hearing no discussion, E. Arvedon called for a vote. All in favor, motion passed 3 – 0.

8:08 p.m. B. Allo made a motion to approve the following bills:

P.Z. (September Communications)	\$50.00
D.P. (September Communications)	\$50.00
J.R. (September Communications)	\$50.00
The Arc of South Norfolk (September Services)	\$812.83

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

8:09 p.m. **Health Directors Updates**

Health Director, Pauline Zajdel was not present. John Robertson, Jr, Health Inspector presented the Board with the following updates.

- P. Zajdel conducted an inspection at Saga Hibachi Steakhouse on September 8, 2020 in response to a pest complaint. The inspection revealed no person in charge and minimal COVID requirements in place. Saga was issued a verbal and written warning in line with the State’s COVID enforcement escalation grid. Since the inspection, COVID documents have been submitted by Saga and a re-inspection will be conducted.
- A reinspection of Foxboro Mandarin was conducted by Health Inspector, John Robertson, Jr. The inspection revealed the establishment in compliance and they were allowed to reopen on September 1.
- The dining room inside Sushi Madness remains closed. An inspection of the establishment will be conducted soon.
- An inspection was conducted at Pizza Time due to a COVID related complaint alleging that no employees were wearing masks. The inspection revealed limited COVID requirements in place. Due to COVID non-compliance, a verbal and written warning was given as well as a non-criminal ticket.

8:15 p.m. B. Allo made a motion to adjourn. P. Steeves seconded the motion. All in favor, motion passed 3 – 0.

The next meeting is scheduled for September 28, 2020.

Betsy Allo, MPH, Clerk/dp