

Time being 7:00 p.m. **July 19, 2021** 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, Betsy Allo, MPH, Vice-Chairman, and Eric Arvedon, Clerk were present. Meeting took place in the Andrew A. Gala, Jr. Meeting Room inside the Foxborough Town Hall at 40 South Street.

Others present:

Matthew Brennan, Director of Public Health

Diane Passafaro, Public Health Coordinator/Recorder

E. Arvedon began reading the agenda of the July 19, 2021 Board of Health meeting, aloud.

**7:00 p.m. Bay Colony Group, Inc. - William R. Buckley, Jr., P.E.
Private well variance request from the Town of Foxborough Board of Health's *Health Regulation for Private Well Permitting*, for the property located at 12 Montgomery Way**

Principal Engineer, William R. Buckley, Jr. with Bay Colony Group, Inc. approached and informed the Board that they failed to notify the abutters of the public hearing relative to 12 Montgomery Way and the appointment would need to be postponed to the next Board of Health meeting scheduled for August 2, 2021.

P. Steeves requested the Board wait until 7:15 p.m. to call the next appointment, 31 Granite Street, and the agenda was taken out of order.

7:04 p.m. E. Arvedon made a motion to approve the minutes of June 7, 2021, as written. B. Allo seconded the motion. P. Steeves called for discussion. Hearing none, P. Steeves called for a vote. All in favor, motion passed 3 – 0.

7:05 p.m. E. Arvedon made a motion to approve the following bills.

Verizon Wireless (June Data Usage Charge for Insp. Tablets)	\$79.98
M.B. (Mileage Reimbursement - May & June)	\$41.44
Lifeworks, Inc. (July Services)	\$812.83
D.P. (Communications Stipend - July)	\$50.00
Mass. Env. Health Assoc. (Annual Membership - JR)	\$40.00
Mass. Env. Health Assoc. (Annual Membership - DP)	\$40.00
National Env. Health Assoc. (Annual Membership - DP)	\$100.00
Thermoworks, Inc. (Inspection Equipment)	\$111.84
J.R. (Communications Stipend - July)	\$50.00
M.B. (Communications Stipend - July)	\$50.00

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

7:09 p.m. Department Updates

- M. Brennan provided the Board with the recommendation to review the current and outdated Board of Health private well regulations adopted in 1990, with the intent to formulate and promulgate new private well regulations at a future Board of Health meeting. The “Model Board of Health Regulation for Private Wells” document, prepared by the Massachusetts Department of Environmental Protection, was provided to the Board along with several other model regulations for the Board’s review. Further discussion of the topic to occur at a future meeting.
- The annual *Agreement* between Lifeworks, Inc. and the Town of Foxborough, for the services they agree to provide Town residents during the fiscal year 2022, was signed by all three Board members.

**7:15 p.m. Bay Colony Group, Inc. - William R. Buckley, Jr., P.E.
Septic variance request from Foxborough’s local by-law, for the property located at 31 Granite Street**

Representing the property located at 31 Granite Street was Principal Engineer, William R. Buckley, Jr. and Cameron Gray with Bay Colony Group, Inc.

(Two abutter green cards were submitted to the Board during the meeting)

C. Gray provided the Board information on the property. The single-family dwelling and cesspool currently on the property is scheduled to be teared down and abandoned. In its place will be the construction of a two-family home with a traditional septic system. After situating the house as close to the street as possible, setbacks to the existing bordering vegetated wetlands are unable to be met and therefore require a variance.

M. Brennan spoke and shared his observation that the proposed system appears to also not meet State setbacks under Title V as a tributary to a surface water supply. M. Brennan provided W. Buckley with a map of the property location, showing the Title 5 setback Zone A overlay, generated from the MassGIS database.

W. Buckley concurred with M. Brennan’s assessment and stated this additional variance would be needed for the property.

E. Arvedon asked if the additional variance could be approved tonight. It was in both M. Brennan and W. Buckley’s opinion that since green card notifications

were sent and a public hearing on the property was being held, that this additional variance could be voted on tonight.

B. Allo made a motion to grant an eight (8) foot variance and allow the septic tank to be 92 feet from bordering vegetated wetlands where 100 feet is required per local by-law, for the septic repair at 31 Granite Street. E. Arvedon seconded the motion. P. Steeves called for discussion. Hearing none, P. Steeves called for a vote. All in favor, motion passed, 3 – 0.

B. Allo made a motion to grant an 86 foot variance and allow the leaching system to be 64 feet from bordering vegetated wetlands where 150 feet is required per local by-law, for the septic repair at 31 Granite Street. E. Arvedon seconded the motion. P. Steeves called for discussion. Hearing none, P. Steeves called for a vote. All in favor, motion passed, 3 – 0.

B. Allo made a motion to grant a 36 foot variance and allow the leaching system to be located 64 feet from a tributary to a surface water supply where 100 feet is required per 310 CMR 15.00, for the septic repair at 31 Granite Street. E. Arvedon seconded the motion. P. Steeves called for discussion. Hearing none, P. Steeves called for a vote. All in favor, motion passed, 3 – 0.

The Board requested the installation of a polybarrier around the three sides of the leaching system. W. Buckley acknowledged the polybarrier request and stated that it will be noted on the design documents.

Hearing no further discussion relative to the septic variance at 31 Granite Street, P. Steeves called the matter closed at 7:42 p.m.

**7:42 p.m. 30 Taylor Road – Elliot Guenard, Owner
Vote and Decision relative to the deed restriction modification for the
property located at 30 Taylor Road**

Representing the Owner of 30 Taylor Road was Attorney Frank Spillane. Also present for the discussion was William R. Buckley, Jr. with Bay Colony Group, Inc.

F. Spillane drafted a *Vote and Decision* deed document that details the Board's vote and approval to terminate the one (1) bedroom deed restriction currently on the property located at 30 Taylor Road and replace it with a new deed restriction limiting the dwelling to no more than two (2) bedrooms.

The Board had no comments on the proposed deed and all three Board members signed the *Vote and Decision* document. A copy of the recorded deed will be forwarded to the Board of Health once obtained.

Hearing no further discussion relative to 30 Taylor Road, P. Steeves called the matter closed at 7:49 p.m.

7:49 p.m. Department Updates Continued

- M. Brennan mentioned the draft version of the *Town Board and Committee Handbook* will be going in front of the Board of Selectman. Once voted on and approved, a final version will be emailed to the Board of Health members.

7:52 p.m. E. Arvedon initiated a discussion that focused around the current state of the Covid-19 virus, as well as the emerging Delta variant. Through discussion, it was suggested that the Board of Health should take a proactive, instead of a reactive, approach on the virus. E. Arvedon deferred to M. Brennan and asked him to formulate a recommendation surrounding Covid-19 and precautionary measures that should be considered while in Town buildings and while conducting Town business and meetings. This Board of Health recommendation would then be given to the Town Manager for his review and to incorporate any policies as he sees fit.

M. Brennan acknowledged E. Arvedon's request and would follow up with a draft to the Board when available.

8:07 p.m. Reorganization of Board of Health positions was discussed. All members decided to remain in their current appointments for the next year.

8:10 p.m. B. Allo made a motion to adjourn. E. Arvedon seconded the motion. All in favor, motion passed 3 – 0.

The next meeting is scheduled for August 2, 2021.

Eric Arvedon, Clerk/dp