

**Town of Foxborough Board of Health**  
Regular Meeting  
Meeting Minutes – May 5, 2023

Members Present: Betsy Allo, MPH, Chair, Sophia C. Manos, Clerk, and newly elected board member Robin Chapell

Members Absent: None

Health Department Staff Present: Matthew Brennan, R.S., Director of Public Health, Diane Passafaro, Public Health Coordinator and Meeting Recorder.

Others Present: Cameron Gray, Rene Olsen

Betsy Allo opened the regular meeting of the Foxborough Board of Health, under the Open Meeting Laws of the State of Massachusetts, at 9:00 a.m. on May 5, 2023. Meeting took place in the Andrew A. Gala, Jr. meeting room inside the Foxborough Town Hall, 40 South Street, Foxborough, MA.

**9:00 a.m. Bay Colony Group, Inc. – William R. Buckley, Jr., P.E.**  
Septic variance request from Title 5 (310 CRM 15.00) and from local bylaw, for the property located at 33 Granite Street, Foxborough, MA

*Those in attendance for this agenda item:*  
*Rene Olsen, Owner*

*(Abutter green cards were submitted by Bay Colony Group, Inc., and are included as supplemental meeting documents)*

Representing the Owner of 33 Granite Street was Cameron Gray with Bay Colony Group, Inc. C. Gray explained the current state of the property to be a single-family home with a cesspool. He summarized the multiple restrictions associated with the placement of the proposed septic system, including ledge and utility lines in the front and bordering vegetated wetlands in the rear of the property. High groundwater and fill was also seen on the property which resulted in a sieve sample taken and analyzed. Due to these restrictions, the use of a Presby system for the property's subsurface sewage disposal system was proposed.

R. Chapell asked what lab performed the sieve analysis and asked that the results are kept attached to the plans. C. Gray answered PSI in Cambridge and M. Brennan stated lab reports are generally submitted to the Office. R. Chapell also inquired about a deed placed on the property restricting the install and use of a garbage grinder. M. Brennan confirmed a deed restriction would be required for the use of a Presby system on the property, but explained that, historically, the Board has not

required a deed related to garbage grinders. M. Brennan offered that this could be a policy the Board can discuss and implement at a later date.

Owner of 33 Granite Street, Rene Olsen, spoke and thanked the Board for accommodating her request for a meeting to discuss the property's septic. She stated she would pass along the information, related to prohibiting the use of a garbage grinder, to both her realtor and the new owners. M. Brennan also mentioned that the plan itself has verbiage that states no garbage grinders are allowed.

S. Manos made a motion to approve the following variances:

- Allow the leaching field to be 55 feet from bordering vegetated wetlands where 150 feet is required per local by-law,
- Allow a Title 5 alternative to percolation test per Title 5,
- Allow the leaching field to be 182 feet setback from a tributary to a surface water supply where 200 feet is required per Title 5,
- Allow the septic tank to be 74 feet from bordering vegetated wetlands where 100 feet is required per local by-law, and
- Allow the leaching field to have four (4) feet of vertical separation from high groundwater elevation where five (5) feet is required per local by-law

R. Chapell seconded the motion. B. Allo called for discussion. Hearing no discussion, B. Allo called for a vote.

S. Manos: Aye R. Chapell: Aye B. Allo: Aye

**Motion passed, 3-0**

Hearing no further discussion related to the septic system repair at 33 Granite Street, B. Allo reminded C. Gray that a deed notification for the use of a Presby system would be required and closed the matter at 9:15 a.m.

### **9:15 a.m. Reorganization of the Board of Health**

S. Manos made a motion for Betsy Allo to remain Chair. R. Chapell seconded the motion. B. Allo called for discussion. Hearing none, B. Allo called for a vote.

S. Manos: Aye R. Chapell: Aye B. Allo: Aye

**Motion passed, 3-0**

B. Allo made a motion for Sophia Manos to be Vice-Chair. R. Chapell seconded the motion. B. Allo called for discussion.

S. Manos opined she had a lot to learn about being on the Board and did not feel comfortable taking the Vice-Chair seat.

Hearing no further discussion, B. Allo called for a vote.

S. Manos: Nay R. Chapell: Nay B. Allo: Nay

**Motion failed, 0-3**

S. Manos made a motion for Robin Chapell to be Vice-Chair. B. Allo seconded the motion. B. Allo called for discussion. Hearing none, B. Allo called for a vote.

S. Manos: Aye R. Chapell: Aye B. Allo: Aye

**Motion passed, 3-0**

R. Chapell made a motion for Sophia Manos to be Clerk. B. Allo seconded the motion. B. Allo called for discussion. Hearing none, B. Allo called for a vote.

S. Manos: Aye R. Chapell: Aye B. Allo: Aye

**Motion passed, 3-0**

**9:21 a.m.** M. Brennan provided updates to the Board. Updates included;

A recent tobacco inspection at Sunoco revealed the establishment was illegally selling nitrous oxide. Massachusetts General Law states this activity is a crime against public health, however, police can enforce. Foxborough Police Department was notified and the Foxborough Health Department sent a Cease and Desist notice to the Owner.

The Owner of 22 School Street did not agree to the settlement given to him related to the property's current housing violations. It is hopeful that following the court case, things will move faster. S. Manos asked about the variance and Board of Health meeting detailed within the settlement document. M. Brennan stated that it is unlikely a meeting would be required at this time since the Owner did not agree to the terms of the settlement.

The Bristol Norfolk Public Health Partners received an extra \$150,000, approximately, through the public health excellence grant, to spend on public health.

A preliminary meeting with UConn TAB was held to view the 131 Morse Street presentation prior to the May 15 meeting. The site has a long history of contamination and still of concern to this day. B. Allo asked if the Town of Mansfield knew about the presentation due to the town abutting the property. M. Brennan stated he would reach out. R. Chapell inquired about receiving a

brownfields grant for this property. M. Brennan explained that in order to receive money, access to the property for an assessment would be needed, which is something that is not possible at the present time. He added however, following the presentation and information coming to light, that could assist in getting on the property due to the current non-compliance status.

**9:34 a.m.** S. Manos made a motion to adjourn. R. Chapell seconded the motion. Hearing no discussion, B. Allo called for a vote.

S. Manos: Aye R. Chapell: Aye B. Allo: Aye  
**Motion passed, 3-0**

The next meeting is scheduled for May 15, 2023

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Sophia C. Manos, Clerk/dp

