



TOWN OF LANCASTER BOARD OF HEALTH

Thursday, February 29, 2024, at 9:30am

Meeting Minutes

Meeting start time- 9:36am, called to order by Chairman Paster

BOH Members in Attendance: Jeff Paster- Chair, Melinda Apgar- BOH Member,
John Farnsworth- BOH Member

Others in Attendance: Bill Brookings- NABH agent, Samantha Zediker- HHS Administrator, Dayna Gant- Resident, Michael Bailey- Resident, Amalia Hough- SLA student, Kari Radford, Thomas Brownell- Circle B Barn Co. President, Derek Skillings- Skilling & Sons, Fran LeCompte, John Kanis- Resident, Kate Hodges- Town of Lancaster Town Administrator, Kelly Dolan- HHS Director, Kendra Dickinson- Resident, Sheila Mallette- Resident, Susan Munyon- Resident, Mark O'Hagan- MCO Cottages

Documents shared in meeting:

-2393 North Main Street plan

Scheduled Discussion:

1. Permits:

- a. 10 Cottage Lane-
 - i. OUTCOME: NABH agent Bill Brookings to draft the permit on behalf of the BOH.
- b. 53 Connor Lane- septic permit to allow the existing pump to stay in place.
 - i. OUTCOME: NABH agent Bill Brookings to draft the permit on behalf of the BOH.

2. Title-5 Inspection Reports:

- a. 11 Burbank Lane- Pass
- b. 112 Old County Road- Pass

3. Hearing- started at 10:00 am, hearing closed at 10:11am.

- a. 10 Cottage Lane- Title 5 variance and septic permit
 - i. Title 5 variance request—To allow the existing 3-bedroom system to remain in place with gravity flow, even though the overall site flow is greater than 2,000 gallons per day.
 - ii. Certified list of abutters obtained from the town and copies of the green cards, receipts, and the cards that were received back have been submitted to BOH by email.
 - iii. Project is formerly known as Jones Crossing—project approval was for a number of small lots that contained homes with tanks and septic systems., including two (2) shared systems that handled twelve (12) and thirteen (13) homes, as well as standalone homes that have their own two (2) or three (3)

bedroom onsite systems.

- iv. The project is under new owners (MCO Crossing) and is now one (1) large lot with multiple units on it. There is an existing 3-bedroom home that was previously built with a 3-bedroom septic system (gravity to a septic tank and a leach bed installed). This was never signed off or given a certificate of compliance due to an expired permit with the project being stalled/stopped.

- 1. Change from projects—MCO Cottages is now an overall site as one (1) parcel. With that being said, the property has to be looked at as an overall site flow ranging between 5,000 – 7,000 gallons instead of individual system flows around 330 gallons per day.

- a. The trigger for Title 5 is over 2,000 gallons per day, anything over this requires a pressure distribution—this is a forced main to a manifold and smaller diameter leach lines, instead of a distribution box. The pressure distribution acts when the pump chamber kicks on to pump to the leach area with large flows, dosing the entire system at one (1) time.

- i. The existing 3-bedroom home onsite has a stone and pipe leach bed, served by gravity.

- 1. This property has never been used; water has not been turned on to the house.

- ii. Due to Title 5 regulations the property owner would need to install a pump chamber after the existing tank, pull out the 4inch gravity leach lines within the bed and reinstall with the smaller diameter leach lines so that the system could become a pressure distribution.

- v. Comments:

- 1. BOH member John Farnsworth—Is there room in the Presby system in the future to be able to switch this over if needed?

- a. NABH agent Bill Brookings – Under the old manual what was originally put in would be sufficient, however under the new manual, a third Presby system was put in as Presby increased the requirement of pipe length. There is a full compliant reserve area provided on the lot.

- vi. Abutters present? No comments.

- vii. MOTION: To approve the Title 5 variance at 10 Cottage Lane allowing the existing system to remain gravity flow, even though the overall site flow is greater than 2,000-gallons.

- 1. VOTE: unanimously passed

4. Discussion:

- a. 566 Harvard Road- Trailer Report

- i. 1/10/2024- BOH Chair and the NABH agent meet weekly at the LCC- during this meeting it was brought to BOH attention by an HHS department staff member about a situation of an individual who, per his statements while being interviewed by HHS staff, resides in a travel trailer on the 566 Harvard Road address, about a ½ mile off the road near a gravel pit. Per the individual, the property owner is aware of the individual living on the property.

- 1. The individual reported that the trailer has no heat or hot water and that

- they cook with propane or over an open fire.
- ii. BOH staff present determined from the above report by HHS staff that there could potentially be health and safety risks to the individual, as well as possible violations of under Massachusetts General Laws.
 - 1. BOH staff determined they would like to inspect the travel trailer placed on 566 Harvard Road to gain a better understanding of the individual's living situation.
 - a. A letter was sent to the property owner, informing them of what was reported and that BOH is requesting an inspection.
 - i. The certified mailing was received by the property owner on 2/6/24.
 - ii. The property owner responded to the BOH and the Town of Lancaster Select Board with a letter.
 - 1. The property owner stated he would comply with the BOH request for an inspection.
 - iii. Comments:
 - 1. NABH agent Bill Brookings—With the report presented to BOH staff of an individual living in a travel type trailer, concerns arise as temporary housing of this type is not allowed under the Massachusetts Housing Code, without prior written approval from the BOH.
 - a. Basic requirements for human habitation that need to be met:
 - i. Sanitary facilities
 - ii. Access to drinking water
 - iii. Electricity/heat
 - b. Without an inspection to confirm the individual's living situation, BOH needs to determine what the next steps are.
 - 2. BOH member John Farnsworth—The individual has lived at the property for several years and it's his choice to do so.
 - 3. BOH member Melinda Apgar—What are the BOH options to move forward? Who would this case get turned over to next? Is this out of the BOH hands at this time?
 - a. BOH Chairman Jeff Paster— BOH can request from the property owner an inspection. If that is refused—BOH or the Town can move forward to Housing Court, where legal action can be taken and have the court require an inspection of the property be conducted.
 - i. The town is seeking what next steps can be taken.
 - 4. Town Administrator Kate Hodges—The Town cannot confirm or deny the reported information about the resident as a client. The matter presented to BOH is strictly around the housing.
 - iv. Resident- John Kanis—Property owner was recognized by the Chair and asked to contribute comments or questions, but he did not unmute to speak.
- b. 489 Neck Road- Trailer Report
 - i. BOH was made aware of a travel trailer on the 489 Neck Road property owned by Circle B Barn company. The travel trailer looks to be used as temporary housing which is potentially in violation of 105 CMR 10.000.440.
 - ii. BOH chairman Jeff Paster has had a conversation with the property owner about the situation and the owner is willing to have an inspection.

1. OUTCOME: NABH agent Bill Brookings will set up an inspection/appointment to visit the property, trailer, and occupant.
- iii. Comments:
 1. Property Owner Thomas Brownell—The trailer’s original intended use was for long distance construction project to house a few of the workers/crew in the trailer.
 - a. The occupant of the trailer gave up his apartment due to continual travel with the company, however the trailer is back at the Neck Road property, and he is residing in it as there haven’t been too many long-distance jobs.
- c. 700 Fort Pond Rd- United Ag. Turf- Certificate of Compliance/ Title 5 Violation Status
 - i. BOH commented on the Selectman business license form that the above stated business is in violation of Title 5 as a certificate of compliance was never issued for a septic tank and pump chamber installation that was required for an addition completed on the original building.
 - ii. Letter sent on 11/29/23 (Certified), received on 12/4/2023.
 1. The engineer of the project emailed NABH agent Bill Brookings the as built plans, however a hard copy is required and has not been received yet.
 2. BOH has issued a letter to the Select board asking if any type of action could be taken on the existing business license or hold the renewal of next year’s license if a resolution hasn’t been found.
 3. A note has been placed on the installers card with NABH’s to not approve renewal for 2024 until the documentation is received.
 4. OUTCOME: NABH agent Bill Brookings to draft a letter on the BOH behalf to suspend the installer license for the Town of Lancaster.
 - iii. Comments:
 1. HHS Administrator Samantha Zediker—Reached out to the Town Administrator about the status of this topic making the Select Board agenda—it was noted it will be on the March agenda.
 2. BOH member John Farnsworth—Visited the business and it seems it has changed hands from the John Deere site to the new entity of United Ag. The tank and the pump chamber are present on the property.
- d. 53 Connor Lane- Proposed room in basement- adding to a partially finished basement.
 - i. The property has a sewage ejector pump pumping to a septic tank, which is not compliant with current code.
 - ii. The property owner has agreed to upgrade the septic tank to a 1,500-gallon form a 1,000-gallon unit which is required by Title 5.
- e. 2393 North Main Street (downside of Route 117, across from where Brockelman Road comes out to Route 117).
 - i. Well variance with proposed closed loop geo-thermal system.
 - ii. Existing home with town water.
 - iii. Lancaster Well Regulation 303-25—Prohibits the placement of a private well in an area served by municipal water.
 - a. The request is to allow a private drinking water well to be drilled.
 - b. This request has been approved by Town of Lancaster DPW Superintendent, Kevin Bartlett.

- iv. The installation of two (2) Geothermal closed loop boreholes for geothermal heating and cooling on the property.
 - 1. NABH agent Bill Brookings has looked at the proposed location and they meet DEP guidelines.
- v. Comments:
 - 1. NABH agent Bill Brookings—The only concern is any type of backflow prevention making sure that systems aren't connected.
 - 2. Property owner—The plan for the drinking water well is for future agricultural use. The property is under 61a.
 - 3. Contractor Derek Skilling—Hopefully it works out and water is found!
- vi. MOTION: To approve the proposal for the potable water supply as submitted.
 - 1. VOTE: unanimously approved
 - 2. OUTCOME: NABH agent Bill Brookings to draft a letter approving the variance to well regulation 303-25.
 - 3. OUTCOME: NABH agent Bill Brookings will issue two (2) permits—
 - a. Drinking water well
 - b. Geothermal boreholes

5. CY 2023 BOH Annual Report Process

- a. A draft of the report will be created from prior years reports, notes and logs from the HHS Administrator, any activities the board has undertaken over the last year, and meeting minutes from last year.
 - i. Currently waiting on NABH annual report, as some details from that report will go into Lancaster BOHs report.
 - ii. BOH members need to provide BOH Chairman Jeff Paster with a list of any and all activities, educational sessions, conference, or other tasks completed on their own to support BOH work.
 - iii. Once the report is complete it will be sent to the BOH members for review.

6. COVID-19 Test Kits-

- a. Test kits that have been coming in are expiring within 30-45 days.
- b. BOH Chairman Jeff Paster working with DPH on securing more tests as needed.
- c. HHS Administrator putting out about 15-20 test kits throughout the week at the LCC and Town Hall building.

7. Additional business that the Chair did not reasonably anticipate being discussed.

- a. Blood drive proposal to be hosted at the Health and Wellness Fair in April.
 - i. The intent letter read by SLA student Amalia Hough; letter can be found at the end of the meeting minutes.
 - 1. Proposed blood drive to be hosted by Boston Children's Hospital
 - a. Their staff will handle the logistics, staff equipment and the collection process.
 - b. Advanced registration is recommended.
 - c. The mobile blood unit will be at the Town of Lancaster from 9am to 4pm for blood collection from 10am -3pm and be parked in between the Prescott Building and the Library.
 - ii. Comments:
 - 1. BOH member John Farnsworth-- Thank you and nicely presented

- project!
- 2. BOH member Melinda Apgar-- really excited about this project!
- 3. HHD Department Director Kelly Dolan--Thank you for doing a great job with getting this project and moving this piece of the health and wellness fair forward!
- b. BOH Elections in May 2024
 - i. BOH Chairman Jeff Paster seat will be open this year—he is pulling papers for another term.
 - ii. 1-year term open to replace former BOH member Denise Hurley. The term is currently being seen through by John Farnsworth.
- c. Air Sensor
 - i. HHS Administrator to work with facilities director to get sensor deployed on the Prescott Building.

Minutes → Approval of minutes from December 21, 2023, meeting

- MOTION: To approve the December 21, 2023 meetings minutes as posted.
 - VOTE: unanimously approved.
 - OUTCOME: HHS Administrator Samantha Zediker to post the finalized meeting minutes to the BOH website.

Approval of minutes from January 25, 2024, meeting

- BOH member John Farnsworth has additional comments to provide before a vote can be completed.
 - Minute will be adjusted and voted on at the March 28, 2024 meeting.

Next proposed meeting date → March 28, 2024

Link below for Town of Lancaster Remote Participation Guidelines:

https://www.ci.lancaster.ma.us/sites/g/files/vyhlif4586/f/uploads/remote_participation_guidelines_2020_master.pdf

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