

BOARD OF HEALTH

Minutes of Meeting of December 13, 2010

Board members Carol Bradford, Chairman McNamara, Linda Huet-Clayton, Robert C. Leupold, Health Director and Michele Korman, Health Coordinator were present in the DPW conference room at 7:35pm. and the meeting commenced at 8:00p.m.

1. Minutes of Meeting of November 15, 2010 were approved
2. Invoices were approved
3. Correspondence was reviewed and included the following:
 - (a) Agenda- Board of Health- December 13, 2010
 - (b) Planning Board memo- Re: Regulation of Outdoor Wood Boilers- November 15, 2010
 - (c) Sudbury Town Crier legal notice- Board of Health Notice of Public Hearing- December 13, 2010- cemetery extension plans
 - (d) FY '11 Account Summary
 - (e) Planning Board minutes- November 10, 2010
 - (f) Planning Board memo- Outdoor Wood Boilers- November 4, 2010
 - (g) Planning Board- Notice of Application for Special Permit- Water Resource Protection District- American Speedy Printing- November 19, 2010
 - (h) Raytheon monthly operating report- October 2010
 - (i) Linda Sullivan, Board of Health nurse, e-mail- flu clinic report- Fall, 2010
 - (j) East Middlesex Mosquito Control Project annual report
 - (k) DEP memo- Notice of Responsibility- Sudbury Cumberland Farms- November 19, 2010
 - (l) WasteWater Management, Inc. memo- Test Report- Lincoln-Sudbury Regional High School- 390 Lincoln Lane, Sudbury
 - (m) The Beacon newsletter- December 2010

8:00 appt: Public Hearing: Town Cemetery Extension:

Mr. William Place was in attendance representing the DPW/Engineering Department to discuss expansion of town cemetery land. Mr. Place discussed that the land in question was deeded to the town back in 1993, not as buildable land, but for town cemetery purposes only.

Mr. Place has asked the Board to approve the cemetery extension plan which is subject to Town Meeting approval. The Town will be deeded parcel 1A Peter's Way for cemetery extension purposes.

Peter and Sally Gimber were present at meeting to hear proposed plans for Peter's Way extension. Mr. and Mrs. Gimber are abutters to land and were interested in knowing if plans were in place to extend west and downward which would cause encroachment on their own personal property.

Mr. Place detailed that plans for cemetery extension by use of Peter's Way would not be going in a down-hill direction but the plans only apply uphill.

Chairman McNamara: Current land-owner is proposing a one-lot home or the possibility of a 40-B condo project on adjoining parcel of land in the future.

Robert Abrams, Lawyer, land owners: Stipulated that if his clients were to be given right of way for use of Peter's Way, then they would donate 2-acre parcel of land for town's cemetery purposes. Mr. Abrams went on to say that at the present time, the Town is using the Peter's Way extension and is not at liberty to do so.

Mr. Abrams clients were approached by the Town to ask their permission to use the Peter's Way extension to allow the funeral procession of Lt. Scott Milley on Saturday December 11th. Permission was granted and in doing so, boulders that generally block the extension way were removed for the funeral procession to proceed but then were placed back after the funeral services were over.

Chairman McNamara made a proposal for the Town to build a right of way for land swap for foreseeable land development and for future town usage. Also, is the land the Town is gaining greater than or equal to what had been originally proposed.

Robert Leupold, Health Director The issue at hand for the Board of Health is whether the area of land is suitable for graves, this is the Board of Health's position.

Chairman McNamara: graves will be dug on top of slope with a buffer included. The Board is voting on:

- (1) Approve parcel as modified on October 14, 2010 for Parcel 3A as drawn by Sullivan-Connors showing new area after extension of Peter's Way on 4.91 acres.

Vote Taken- Motion Granted.

8:15pm: Christopher Morley, Planning Board- Outdoor Wood Boilers

Mr. Morley came in to discuss Outdoor Wood Boiler Regulations (OWB) with Board of Health members

- Has the Board of Health ever made a decision on usage of Outdoor Wood Boilers?
- Issue could become problematic if more are installed in town

Chairman McNamara: The Board felt that an all-out ban on devices could open up legalities for the Board

- The Board of Health would be able to enforce a shut-down based on a public nuisance by-law
- Discussed that he personally had been called on three (3) separate occasions to detail a public nuisance- never found evidence of logging a nuisance or health issue
- Boiler located on Hudson Road conforms with DEP regulations
- The Board has not logged a complaint on Hudson Road new boiler
- Chairman McNamara detailed that he inspected Hudson Road boiler regarding stack height with Mr. Jim Kelly, Building Inspector. They found the stack height to be in non-compliance and owner of boiler did fix stack height
- Stack height is now higher than 38 ft.

Mr. Morley spoke about the fact that other communities surrounding Sudbury have in fact adopted Outdoor Wood Boiler Regulations. Including:

- (1) LongMeadow
- (2) Chicopee

Mr. Morley also discussed whether the Board would be open to looking further into this or would Board members be open to other avenues?

Chairman McNamara discussed that the Board would be open to looking into advancing stack height and setbacks regarding boilers here in Town.

Robert Leupold, Health Director spoke about the fact that boiler setbacks were originally developed for urban areas of the country.

MRC (Medical Reserve Corp.):

- The MRC did not have a December meeting
- Grant money was used to buy a badging machine

Trash Hauler's:

- Robert Leupold, Health Director discussed the issue of developing an application process for licensing Trash Hauler's
- \$100.00 per business/company was brought up for discussion
- Enforcement was also discussed- detailing that this has never been a problem here in Sudbury
- Trash Hauler Companies Include:
 - (1) Solid Waste Disposal
 - (2) BP
 - (3) Allied
 - (4) BFI
 - (5) Would dumpsters also be included?
- Chairman McNamara discussed what the Town would be protecting by permitting businesses?

- Robert Leupold, Health Director spoke to this and concurred that when Regulations were drafted, DEP wanted to encourage recycling for residential refuse/haulage
- Chairman McNamara discussed the issue of modifying regulations for residential use only with the exception of construction debris which can be easily segregated
- The Board discussed modifying Trash Hauler Regulations and to develop an application and application process.

Meeting adjourned: 9:00pm

Respectfully submitted:

Michele Korman
Health Coordinator