

BOARD OF HEALTH

Minutes of Meeting of March 1, 2011

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 6:50pm. and the meeting commenced at 7:00p.m.

1. Minutes of Meeting of December 13, 2010 were approved
2. Invoices were approved
3. Correspondence was reviewed and included the following:
 - (a) Concord Public Works memo- Wellhead Protection Conditions- 1/29/11
 - (b) Accounting spreadsheets- monthly statement- Jan. 2011
 - (c) Accounting spreadsheets-special revenue
 - (d) Accounting spreadsheets- general fund revenues
 - (e) Accounting spreadsheets- trust funds
 - (f) Nangle Consulting Associates memo- Notice of Activity & Use Limitations
 - (g) Town Manager's level services budget- FY '12
 - (h) Zoning Board of Appeals memo- Notice of Public Hearing- 3/27/11
 - (i) DEP memo- Transfer of Ground Water Discharge permit- Longfellow Glen Apartments- 655 BPR, Sudbury
 - (j) Waste Water Environmental Management, Inc. memo- Test Report- Lincoln/Sudbury High School- 490 Lincoln Road- Sudbury, MA.
 - (k) Board of Health memo- Region 4A funds- 3/1/11
 - (l) Planning Board memo- Definitive Subdivision Decision- Pine Grove-Old Lancaster Road- 2/9/11
 - (m) Raytheon monthly operating report- January 2011
 - (n) MassDEP memo- Notice of Responsibility- Richey & Clapper Landscape Supply Co.- 2/22/11
 - (o) Zoning Board of Appeals- Notice of Public Hearing- 1/3/11
 - (p) Selectman memo- MEMA- Citizens Corps Grant- 2/4/11
 - (q) Planning Board Agenda- 2/9/11
 - (r) Planning Board memo- Haskell Field parking lot- 1/31/11
 - (s) Raytheon monthly operating report- December 2010
 - (t) Planning Board memo- Notice of Site Plan Submission- Haskell field parking lot- 1/19/11
 - (u) The Beacon newsletter- January 2011
 - (v) The Beacon newsletter- February 2011
 - (w) The Beacon newsletter- March 2011
 - (x)

7:00pm Appointment: Mr. Bob McDonald, Outdoor Wood Boilers (OWB)

Mr. McDonald came in to discuss with Board members an on-going problem concerning a neighbor's Outdoor Wood Boiler, (OWB) that has been a problem in the neighborhood for 4+ years now.

Mr. McDonald's concerns are as follows:

- Neighbor's outdoor wood boiler has been causing a problem within the neighborhood for 4+ years now
- There are significant second-hand smoke issues relating to this boiler which correlate to cigarette second-hand smoke health hazards, which are well known these days
- Massachusetts state regulations are not enough- local Boards of Health must take immediate and appropriate action to shut-down/ban these boilers- Other local towns have taken action, including the Town of Holliston, MA.
- The OWB has a direct impact on neighborhood property values
- Smoke accumulates on personal property and thus is causing chronic health issues to homeowners as well as encroaching on the use of personal space within own homes
- OWB's have been linked to on-going health problems, such as:
 - (a) Heart
 - (b) Lung
 - (c) Respiratory problems
 - (d) Cancer/lung cancer
- OWB's also have created a public nuisance hazard
- Mr. McDonald is asking the Board for relief from neighbor's boiler as well as a total shut-down of the boiler until such time when a comprehensive plan can be put in place in order to deal with this on-going situation
- Mr. McDonald presented Board members with a letter from the American Lung Association, detailing these and other health issues associated with these boilers
- Mr. McDonald is also very concerned that the long-term health implications caused by these boilers is still unknown

Chairman McNamara:

- Chairman McNamara stated that in previous discussions regarding this issue, it was stated that if and when the boiler was causing a problem, that he would like to be called so that he could go out and witness the problem first-hand. Chairman McNamara supplied Mr. McDonald and other neighbors with his personal cell number and asked to have them call him. On the occasions when Mr. McNamara was called out, he in fact did not witness a problem with the boiler or with the air quality. Mr. McNamara further stated that in order for the Board of Health to act it must receive a nuisance complaint directly to the Board of Health office which can then be logged and filed. A nuisance complaint must also be able to be seen firsthand in order for the Board to take appropriate action

Mr. Joseph Onorato, Lee-Ann Circle, neighbor:

- Mr. Onorato was present at meeting and contributed by stating that the particular boiler in question:
- Kiddie-corners his own land

- Affects two (2) sides of his land
- The boiler itself is only 100ft. from his own house
- Also discussed the fact that the boiler burns off 10x the amount of heat/fuel that would be generated from a furnace
- Wood boilers in general are not designed in any good way of shutting off or shutting down the heat generated
- The boiler in question is and has caused a constant/chronic problem to him personally, since he never knows when or how he will be affected- i.e. waking up in the middle of the night coughing due to the smoke
- Mr. Onorato and Mr. McDonald both spoke to the fact that even though the stack height has been increased to meet guidelines, the smoke issues have actually increased and become more prevalent since stack was heightened
- Mass DEP safety and particulate testing requirements actually tested using computer models and not actual boilers, therefore how accurate is their testing and since testing was not conducted on actual, installed, running boilers is testing therefore invalid?

Linda Huet-Clayton, Board member:

- Ms. Clayton stated that she believes that OWB's definitely constitute a health hazard
- Also stated that she would be interested in reviewing the Holliston Board of Health Regulations concerning OWB's

Chairman McNamara:

- Discussed the criteria for determination of a public nuisance
- A nuisance cannot be filed or logged if it cannot be located or found
- Board members would need to "see" nuisance in action
- Health hazard(s)= subjective
- Is the nuisance greater when barometric pressure forces smoke down?

Joseph and Paulette Onorato:

- In answer to Chairman McNamara's question concerning "Is the nuisance greater when geometric pressure forces the smoke down?"
- Answer- Yes

Mr. McDonald:

- Spoke about the fact that his health is still being affected with or without the presence of smoke
- Asking the Board to shut down the OWB starting immediately through the summer until such time as a plan of action can be agreed upon by parties involved
- OWB's are not acceptable for residential neighborhoods
- Should one resident be given the "power" to take away everyone else's freedom of clean air?
- Boiler runs into the month of April

Chairman McNamara:

- Discussed further steps:
 - (a) Adopt OWB regulations or
 - (b) Put issue on the warrant for Town Meeting
- Also discussed other issues surrounding OWB's including:
 - (a) Stack height
 - (b) Setback requirements
 - (c) Heating season- should be constricted until mid- April

Trash Hauler Regulations:

- The Department of Public Works (DPW) is not required to report trash hauler volumes to DEP.
- Need to decide what would be done with data that would be collected- be specific concerning collection and filing

Meeting Adjourned: 8:40pm

Respectfully submitted: Michele Korman, Health Coordinator