CN JEL GB

Townsend Board of Health meeting minutes 3/28/22

1.1 **Roll Call** 5:37 pm. GB, JL, and CN all present

1.2 **Additions/Deletions**: None

1.3 **Moves 1.6 – 478 Main St. – Proposed change of use to Kennel** – The owner of 478 Main St. had previously come in front of the Board of Health 12/13/21 to obtain approval for a dog grooming business at her residential property. After reviewing requested paperwork and a couple of discussions with her, the Board approved the use with the condition that water meter readings be submitted to the Board for the first year of operation. The owner experienced difficulty receiving approval from the ZBA for a dog grooming business and, as a result, re-applied to the ZBA as a kennel which would allow her to groom as an accessory. The owner did ultimately receive approval from the ZBA to have a kennel on the property and I have attached a copy of that decision. As a condition of approval, the ZBA required the following: no employees other than the applicant, business hours M-F 9am-7pm, and no more than two (2) dogs (other than the owners pets) at any particular time. After watching the ZBA hearing, reviewing the ZBA decision, and speaking to Candice Rick Metcalf is confident that she does not intend to operate as a kennel, but this approval will allow her to groom, which was her goal. After our discussion, he wrote Candice an email on 3/9/22 requesting that she attend a BOH meeting to request a change in use and that she put her plans in writing for the Board. The email is attached for you to review. As long as her written plan is consistent with what Rick laid out in paragraph 4 of the 3/9/22 email, he would suggest that you approve the use with the condition that water meter readings are submitted to the Board of Health for the first year of operation. Rick believes that between her written plan stating that the only discharges to the septic will be the grooming (which we already discussed), the kennel will have no associated discharges, and the ZBA conditions of approval you should be covered. JL does not agree with the number of dogs on the property being approved by the Zoning Board. **MOTION to approve the change of use from dog washing to dog grooming in addition to the Zoning conditions and Rick's comments above. 2nd by JL voting 3/0 MOTION carries.**

1.4 **COVID-19 UPDATE** –There have been no administrative changes to the handling of COVID-19 since our last meeting. 1.44% positive rate Townsend.

1.5 **222 Main St. – Septic increase in flow** – This is the Family Dollar Plaza. They are looking to install a new system to allow some flexibility in the types of tenants they could attract to the plaza. This includes adding a second restaurant and an option to relocate the nail salon to a different unit. They are proposing to re-use the septic tank and pump chamber serving Family Dollar (this was done in 2016), as well as the grease trap servicing Sophia's Pizza (this was done in 1998). All other system components are proposed new. Rick reviewed the plans, and they appear to be in-compliance with the Townsend BOH Regulations, as well as Title 5 requirements. Jim would like to be

present at the time of inspections. **A MOTION was made by CN and 2nd by GB to approve the increase and in flow. Voting 3/0 MOTION carries.**

1.6 **5 Turnpike Rd., Unit 220 update** – At the meeting on 2/28/2022, the Board voted to grant an extension to complete the clean-up of the apartment to 3/28/2022. Rick was contacted on 3/16/2022 via email by Ana Corsani, Protective Service Worker at Aging Services of North Central Massachusetts, who has been assisting the tenant with the clean-up and helping her to arrange for services. Ana informed me that Aging Services does not have a budget to help with the services and the tenant will be financially responsible for any services she enlists to help with the clean-up. Her Social Security payment is due to come in 4/1 and she was requesting an extension to 4/5/2022. Although Rick's not thrilled with the progress, he doesn't think we would be able to get back to court for a judgement prior to 4/5, so he would suggest that the Board grant an extension to that date and make it clear that if the violations are not corrected by this date, the Board will pursue compliance through the court. **A MOTION was made by and 2nd by to approve an extension to 4/5/2022. Voting 3/0 MOTION carries.**

1.7 **Recycling Center Update:** Stan Dillis of Dillis and Roy LLC appeared before the Board to review their proposal for a concrete pad and paving in the front of the Recycling Center. Stan shows the Board some documents that show location of containers and topographical areas. There is a high amount of critical area of concern in Townsend. JL stated it's a pre-existing condition. They discussed the procedure and permits that will be needed. She concluded Mike Crowley Land Use Coordinator stated he had funds to help alleviate the filing fees for the Conservation Commission. JL requests the Board continue the discussion to their next meeting. **GB MOTION to accept site survey and conservation filings 1.1 and 1.3 of Scope of Work CN 2nd. Voting 3/0. Sign out of meeting. MOTION carries.**

1.8 **Mandatory Referral ZBA – 169 Wallace Hill Rd.** –Carla informs the Board this is a pre-existing unit that required re-approval due to a change in ownership. This has never come up before that Rick knew of, but if the Board chooses to accept as is due to preexisting condition as an accessory apartment.

1.9 **Mandatory Referral – TZB 145-26.B.9 and 145-26.A.10** – The proposed change to TZB 145-26.A.10 appears to be adding additional language to the chicken bylaw that zoning already has. Rick believes this was at the request of the Building Commissioner based on his experiences trying to enforce the bylaw. He has no issues with the changes unless you believe they may conflict with the future animal regulations (if you are still considering adopting a regulation for this). The proposed change to TZB 145-26.B.9 appear to add potential uses (with special permit) to the residential A&B districts. He doesn't believe this has any impact on us, as all special permits have a mandatory referral to the BOH, and you will have an opportunity to comment on each application individually. He does not believe they are requiring comments but making you aware of the hearings in case you have any input. The Board offered no comments to either.

1.10 **82 Ball Rd. – New construction** – This is a new construction lot proposing a Presby system in full compliance with the Townsend Regulations and Title 5 requirements. **A MOTION was made by CN and 2nd by GB to approve the new septic permit with 6 ½ in vent holes at elbow in conjunction with crushed stone . Voting 3/0 MOTION carries.**

1.11 **Other permits or Legal issues for review** – none

1.12 **Invoices were signed as submitted. JL left the meeting.**

1.13 **No Minutes for review**

1.14 **Earth Day Update: Signs and tee-shirts were discussed. Chairman Nocella requested Karen Clement get approval for all Earth Day supplies before she purchases them.**

1.15 **GB MOTION to adjourn the meeting at 6:44pm. CN 2nd VOTING 2/0.**

TOWNSEND BOARD OF HEALTH

272 Main Street
Townsend, Massachusetts 01469

Christopher Nocella, Chairman ***James Le'Cuyer, Vice-Chairman*** ***Gavin Byars, Clerk***
Office (978) 597-1713 Fax (978) 597-8135

March 28, 2022 at 5:30 p.m., EST

Board of Health members and staff will meet in Meeting Room 2 at Memorial Hall

This meeting of the Board of Health will be held in-person at the location provided on this notice. Members of the public are welcome to attend this in-person meeting. Please note that, while an option for remote attendance and/or participation is being provided as a courtesy to the public, the meeting will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless otherwise required by law. Members of the public with particular interest in any specific item on this agenda should make plans for in-person versus virtual attendance accordingly. **Dial-in number:** 605-313-4278 **Access code:** 5843884 PIN **Online meeting ID:** cwalter17

PRELIMINARIES

- 1.1 Roll Call
- 1.2 Additions or Deletions not anticipated 48 hours in advance

APPOINTMENT/HEARINGS

- 1.3 CO-VID Update
- 1.4 222 Main Street – Septic increase in flow
- 1.5 5 Turnpike Road Apt 220 Update
- 1.6 478 Main Street – Proposed change of use to Kennel
- 1.7 Mandatory Referral Zoning Board - Special Permit under Zoning Bylaw §§145-65 & 145-36. The applicants are proposing to repurpose existing interior structure in a single-family residence under approval for accessory apartment use at 169 Wallace Hill Rd (Map 35 Block 30 Lot 3) located in the RB2 Zoning district.
- 1.8 Mandatory Referral Planning Board proposed amendments to TZB 145-26.B.9 and 145-26.A.10.
- 1.9 82 Ball Road – New Construction
- 1.10 ***Other Permits or Legal issues for review - none***
- 1.11 ***2022 – 2024 Fee Schedule - continued to April 11th, 2022***

WORK SESSION

- 1.12 Invoices
- 1.13 Minutes of February 2022
- 1.14 Recycling Center Update: Stan Dillis Site Review, Pump repair/replacement
- 1.15 Earth Day Update: Dates and tee-shirt vendors
- 1.16 Future Agenda Items
  - 1.16.1 Septic Regulations Update – Tabled to Spring 2022
  - 1.16.2 Stable Regulations Update – Tabled to Spring 2022
  - 1.16.3 Next Meeting: **April 11th, 2022**, 5:30pm

ADJOURNMENT