

The meeting was called to order at 7:00 p.m., by Chairman, Richard Robinson. Also in attendance were; Member, Al Holman; Member, Richard Desjardins; and Asst. Public Health Supervisor, Diane Tiernan.

Agenda was reviewed and approved.

**Motion one** – Richard D. made a motion to approve of the minutes from the previous meeting dated, 11/12/15. Al seconded the motion and Richard R. made the motion unanimous. Minutes were approved.

Vouchers were reviewed and signed.

Diane stated she would like to take off Christmas and New Year's Eve as vacation time. Board approved of the time.

7:06 p.m., Agent, Trish Parent arrived. Trish came tonight to review with the board a recent housing complaint at 135 Main Street, the Upton Inn. She was contacted by a new tenant of the building who stated he has lung infections. His apartment is a ground floor basement apartment which he moved into on Oct. 8<sup>th</sup>. After a time of being there, he had a hard time breathing and complained to Trish that there was a mold problem in his apartment. Senator Moore's office later contacted Trish as well, stating they were helping the resident and that the management company was not listening to the tenant. Trish stated that she has made an inspection of the apartment, it is a good apartment; pretty clean, only minor things to fix. However, in the MA Housing Code, it states no room or area in a dwelling may be used for habitation if more than ½ of its floor-to-ceiling height is below the average grade of the adjoining ground and is subject to chronic dampness. Management has supplied dehumidifiers and moisture packs to the tenants of these apartments which are most definitely below grade, and there is a moisture problem.

She is concerned that it would cause a manifest injustice to tell management that these are illegal apartments. Most of the apartments are offered under Section 8 to low income families. Trish contacted the management office and spoke to Kerry, who stated they were aware of the low grade, that they have put a berm in to adapt the window and installed a perimeter drain as well. Kerry stated the problem was because the summer is humid, etc. Trish stated the dehumidifier does seem to be taking care of the problem but feels the tenant should not have to pay the additional electric fees incurred by the dehumidifier. The tenant complaining will be allowed to get out of his lease after a 60 day period, without a penalty. Trish stated there are 7 of these apartments below grade.

Board stated as long as the dehumidifiers are fixing the moisture problem, they can continue to use them in the apartment. Al suggested that the dehumidifiers be hard plumbed. The tenant should not be the one to have to empty them on a daily basis. The tenant should not be responsible for the electrical cost of the running the dehumidifier either. The management can have certain wall plugs

billed directly to the management or have an agreement within the lease to reduce rent or electrical costs.

Food permits were reviewed for: Town Line Dairy-Williams Street; Three seasons-BVT-Pleasant Street; and Upton House of Pizza-Milford Street.

**Motion two** – Al made a motion to approve of the above food permits. Richard D. seconded the motion and Richard R. made the motion unanimous. Permits were approved.

A garbage and offal permit was reviewed for Able Septic Service of Hopkinton.

**Motion three** – Richard D. made a motion to approve of the garbage and offal permit for Able Septic Service. Al seconded the motion and Richard R. made the motion unanimous. Permit was approved.

7:15 p.m., Chris Colwell of 111 Crocket Road arrived to review a request for a well permit.

Chris stated after the water level dropped significantly at the lake, his well dried up. He is now requesting an emergency permit to drill a new well. Unfortunately he cannot get any further than 60' from his existing septic system, which is downhill from the proposed new well. Richard D. asked Chris if he has explored any other avenues. Chris stated he has tried getting 100' from his septic but he is surrounded by water and ledge. Board reviewed his plot plan and agreed that there were no alternatives.

**Motion four** – Al made a motion to approve of the well permit with a variance of 60' to the septic system, and the stipulation that the well will be tested on a yearly basis. This requirement must be recorded with the registry of deeds. Richard D. seconded the motion and Richard R. made the motion unanimous. Permit was approved.

7:33 p.m., Chris thanked the Board and left.

7:35 p.m., Engineer, Robert Murphy arrived to review a septic design for 78 Mendon Street, Scott Butler. Board reviewed the plan that will also require Conservation Commission approval.

**Motion five** – Al made a motion to approve of the design and Richard D. seconded the motion. Richard Robinson made the motion unanimous. Permit was approved.

7:42 p.m., Robert left.

7:43 p.m. Jon Deli Priscolli, and Michael Polselli of the Grafton/Upton Railroad arrived. Jon thanked the Board for allowing them to attend the meeting. He stated that they have gone the extra mile to try and resolve the noise issues that the neighbors complain about. He wants to continue to work together to address any future issues. He has spent over \$200,000 to make the suggested adjustments to the pellet plant.

Michael stated that Michelle Delemare and her boss, Andrea of DEP came to check the noise levels recently. They were very pleased with everything. The sound readings they did were only 1 to 2 db's over ambient. The engineering firm they hired and DEP has confirmed that the readings are within the recommended limits. Al discussed the letter we received from Senator Moore's office requesting that we restrict the operations at the pellet plant following the STB's decision to rehear the decision that the railroad is exempt. Board stated that no decision has been made that would require us to modify our position. Richard R. agreed. The pellet operation is industrial zoned, as are some of the surrounding homes. Board discussed the future proceeding with STB and Jon stated he would send us copies of the latest reports from his engineering firm.

Jon and Michael thanked the Board and left at 8:14 p.m.

A septic repair design was reviewed for 70 Main Street, Ronald Charpentier.

**Motion six-** Al made a motion to approve of the design and Richard D. seconded the motion. Richard R. made the motion unanimous. Permit was approved.

A septic design was reviewed for lot 4 North Street, HIYA Realty Trust.

**Motion seven-** Al made a motion to approve of the design and Richard D. seconded the motion. Richard R. made the motion unanimous. Permit was approved.

A d-box repair permit was reviewed for 36 Prospect Street, Sullivan.

**Motion eight** – Richard D. made a motion to approve of the permit and Al seconded the motion. Richard R. made the motion unanimous. Permit was approved.

A request for an extension of percs/deeps completed for Sadler/Bertrand at Williams Street was reviewed.

**Motion nine-** Al made a motion to extend the testing for a one year period with a new expiration date of 12/10/16. Richard D. seconded the motion and Richard R. made the motion unanimous. Testing was extended.

Board discussed having the BOH Title 5 agents review septic designs before they are presented to the BOH for approval. All agreed to go forward with the agent review. Diane stated she will get a price from the agents per design and we can address it again at our next meeting.

Diane stated that the Region 2 PHEP committee commended the BOH for our response time on our most recent emergency drill call down for Upton.

Richard D. stated he is very concerned that the current owner of 83 High Street is conducting a major house renovation without an approved septic design. The system is in failure and it is going to be very difficult to get a new system on the lot. He does not understand why a building permit was ever issued

without BOH approval. Board requested Diane send a letter to Code Enforcement that the project is issued a cease and desist until such time that a septic design has been submitted and approved and cc the town manager.

**Motion ten** - Richard D. made a motion to adjourn and Al seconded the motion. Richard R. made the motion unanimous.

8:53 p.m., meeting was adjourned.

Respectfully Submitted,

Diane Tiernan, Asst. Public Health Supervisor