

# BOARD OF Health MEETING MINUTES

September 16, 2021  
Town Hall 1 Main St., Upton, MA 01568

1 The meeting was called to order at 4:30 p.m., by Chairman, Ted Briggs. Also in attendance were; Al  
2 Holman, Member; Richard Desjardins, Member; and Asst. Public Health Supervisor, Diane Tiernan.

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4 Agenda was reviewed and approved.

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6 4:33 p.m. Paul McKeon, BOH agent arrived.

7  
8 Minutes to the previous meeting held on August 19, 2021 were reviewed.

9 **Motion One** – Richard made a motion to approve of the minutes and Al seconded the motion. Ted made  
10 the motion unanimous. Minutes were approved.

11  
12 Vouchers were reviewed and signed.

13  
14 An application for a tobacco permit was reviewed for The Cigarbox – 14 Fiske Avenue.

15 **Motion two** – Richard made a motion to approve of the tobacco permit and Al seconded the motion. Ted  
16 made the motion unanimous. Permit was approved.

17  
18 A letter to the town manager regarding Ted filling in for the BOH under the senior work off program was  
19 reviewed and signed by Board members Al Holman and Richard Desjardins. They have no conflict with the  
20 issue.

21  
22 An animal permit for Bruce Crosby – 2 Russell Avenue for 17 chickens was reviewed.

23 **Motion three** – Al made a motion to approve of the permit for Bruce Crosby and Richard seconded the  
24 motion. Ted made the motion unanimous. Permit was approved.

25  
26 Present Covid situation. Currently there are 17 active cases in Upton. Numbers are increasing, but we are  
27 still under the benchmark for red positivity rate. Richard stated he would like everyone that comes into the  
28 town hall to have a mask. Ted and Al disagreed, if they've been vaccinated it is not a requirement.

29  
30 4:42 p.m., Engineer, Mark Allen arrived to discuss a septic design for 22 Eames Lane – Lambert/Taylor.

31 Proposed new system has a well that is 17.3' from the septic tank. Mark reviewed the design with the Board  
32 and Paul and explained why the system was so close to the well.

33 **Motion four** - Richard made a motion to test the existing well and move the system 50' from the well to meet  
34 title 5 requirements. They will approve the septic design if amendments are made, and the well test passes the  
35 requirements. Al seconded the motion and Ted made the motion unanimous.

36 Mark left at 5:03 p.m.

37  
38 Board and Paul discussed an email from an engineer who is looking to install a new system across the street  
39 from an existing house on Crocket Road. The system would have to go under the road to the owner's

property across the street. Board stated he will need to get permission from the town's DPW. We will review the plan once it's sent to us.

Board also discussed a septic system installed back in 2007 on Orchard Street owned by Brian Fitzgerald. The property does not have a well or house on it yet. Diane asked Paul if we need to inspect the system before he puts the house up. Paul suggested that the tank and dbx are opened up and checked, he can be there to be inspect it.

Paul discussed the over 55 project to be built as Cobblers Creek on North Street. He does not feel that the over 55 projects should be able to use the 150 gallons per *unit*, they should be held to the same calculations as any other new homes, 110 gallons per *bedroom*. Many of the over 55 homes are very large, capable of handling several people. He suggested that we make a new bylaw, that all new homes including 55 and over must adhere to the 110 gallons per bedroom. A variance could be issued if warranted, but a whole project should not be allowed to use the low calculations. Diane stated that although she agrees with Paul, the subdivision plan submitted to the Planning Board was not disputed by the BOH, so she does not feel that we can create a new bylaw for this particular subdivision. Board agreed they would talk to town council about a modification.

***Motion five*** – Al made a motion to adjourn, and Richard seconded the motion. Ted made the motion unanimous.

5:51 p.m., meeting was adjourned.

Respectfully Submitted,

Diane Tiernan, Asst. Public Health Supervisor