

**MINUTES OF THE BOARD OF HEALTH MEETING  
JANUARY 8, 2018**

**PRESENT:** Donna Bagni (Chair), Gary Fine (Clerk), Gail McSweeney (Member), Sheila Landy (Secretary), Art Egerton (PTN Reporter), Rick Grady (Grady Consulting), Carol and Mario D'Ambrosio, Kevin Grady (Grady Construction), Kevin Sealund (Sealund Construction), Nancy Sealund (Kevin Sealund's wife), Laura MacVicar (tenant Taylor Street), Danita Leonard (Taylor St.), William Danforth (landlord Taylor Street), Mary Anne Brown (Advocate for Mr. Danforth) and John Poirier (Field House).

At 6:31 pm Chair Bagni opened the meeting and read the following statement: Please note that this meeting is being made available to the public through an audio recording, which will be used to ensure an accurate record of proceedings produced in the minutes of the meeting. All comments made in open session will and are being recorded.

**MEETING MINUTES**

Ms. McSweeney made a motion to accept the Minutes of the December 11, 2017 Meeting and Mr. Fine seconded and all were in favor.

**HEALTH AGENT'S REPORT**

***Pembroke Hospital*** – Stantec has submitted plans to the state and also sent us copies. State approval is necessary as well as ours.

***Cadete Distribution Co.*** – The dosing protocol has been implemented and the problem is resolved.

***House Fires*** – There were two house fires. One on Furnace Lane and one on Washington Street.

***Power Outage*** – There was a power outage in North Pembroke due to the storms and the Health Agent had to inspect Stop & Shop.

***Storm*** - a pretty big storm hit over the prior week. Fortunately, PEMA was not activated. The Chair stayed in contact with the Health Agent throughout the event.

***Office Activity*** – Foot traffic for file copies is slowing down. Office is busy with license renewals.

**NEW BUSINESS**

The Chair asked Ms. McSweeney if she had any information to share regarding the MAHB conference she had attended. Ms. McSweeney stated she did not have the information ready at this time. The Chair requested Ms. McSweeney present a packet on January 22<sup>nd</sup> for discussion at the meeting after that (February 12, 2018).

Ms. McSweeney asked how to find out which state laws have been adopted by the town. Some laws are up to the Town to accept, not necessarily mandated by the state. It was suggested she check with either Sabrina Chilcott or the Town Clerk.

**6:45 SCHEDULED APPOINTMENT – RICK GRADY of GRADY CONSULTING for 217 WAMPATUCK STREET**

Mr. and Mrs. D'Ambrosio (223 Wampatuck) were the only abutters in attendance. Grady informed the Board of the history of the property. The property owners tore the existing property down years ago as it was a hazard but since the owners did not have the funds to proceed at that time, they requested they be allowed to rebuild at a later date. In 2003, Tyler Nims designed plans for this property that were submitted and approved by the Board of Health and the Conservation Commission but he let everything expire. The wetlands approval expired so they sent out another botanist to delineate the lot. Grady looked at the plans and updated it for today's Title V standards. They also took into account the changes in the flood plain. They reused the soil testing from 1995. The system is basically the same footprint with a change in the position of the proposed home to accommodate Conservation Commission regulations. It is a jet treatment system by gravity to a distribution box. There is one local variance request and a few Title V requests, all similar to the requests made and accepted in 2003. The local variance is for 300gpd instead of the

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Pembroke minimum requirement of 450gpd. There will be a deed restriction for a one bedroom. System is designed for 315gpd. As the discussion continued, it was discovered the plans submitted to the Board did not match the variance requested. The Board asked Rick Grady to correct the plans and return to the next meeting to go over the variance request.

**7:00 SCHEDULED APPOINTMENT – KEVIN GRADY AND KEVIN SEALUND REGARDING 33 VICTORIA LANE**

Kevin Grady and Kevin Sealund appeared before the Board to answer questions regarding the handling of a Title V Inspection at 33 Victoria Lane. Mr. Sealund apologized for not making the last meeting due to illness and agreed to pay the fine levied. Mr. Grady went through his timeline of events concerning 33 Victoria Lane. Both parties promised to follow all Board of Health Policy and Procedures in the future. They explained this was an anomaly to both of them. Sealund normally installs new systems, not repairs. Grady normally designs systems, not inspect them. They both acknowledged they knew the policy and failed to follow through.

**7:15 SCHEDULED APPOINTMENT – 87 TAYLOR STREET – WILLIAM DANFORTH, LAURA MACVICAR APPEARING FOR POTENTIAL CONDEMNATION OF ILLEGAL APARTMENT**

Laura MacVicar has rented since May 2015. William Danforth asked her to move out in September 2017 for nonpayment and to allow his niece to move in to help take care of him. Danforth is in renal failure. MacVicar contacted the Board of Health for an inspection and the Agent visited the unit on October 18. The apartment has one means of egress, leaky windows, no smoke/carbon monoxide detectors, and multiple electric issues. McSweeney stated emphatically this was a civil matter as the Board does not handle electrical issues. Bagni argued the unit is not safe for habitation and therefore a Board of Health issue. The eviction proceedings are winding their way through court. Next court date is January 22, 2018. Mr. Fine made a motion to table the Condemnation Order until the next meeting on January 22, 2018. Danforth asked if the tenant should be living in an unsafe apartment. McSweeney seconded Mr. Fine's motion. Fine and McSweeney voted yes and Bagni voted no. McSweeney told Danforth to talk to the Assessors, Zoning, and the Building Department and to ask for guidance regarding the legality of the apartment and the violations. McSweeney asked Danforth to report back to the Board in two weeks anything he found out. Bagni made a motion to have Danforth to install the necessary smoke and CO detectors tomorrow and for MacVicar to allow them into the unit to install the detectors. There was neither a second nor a vote. Danforth's Advocate asked for permission to install an emergency egress ladder from the second floor deck. All parties agreed to the detectors and emergency egress ladder. Topic was tabled until the next meeting on January 22, 2018.

**7:30 JOHN POIRIER – DISCUSS STATUS AND CONDITIONS OF THE FIELD HOUSE/WOLVES' DEN ON OAK STREET**

A portable trailer containing 5 toilets for the men's side and 5 toilets for the women's side has been delivered. The trailer is heated and has hot water. Mr. Poirier asked for 10 days to firm up a contract. He is negotiating with two contractors. The estimates are coming in around \$350,000 give or take ten percent. Poirier has a land lease and is responsible for all of the land and buildings on it. Crown Automotive owns the property and Mr. Herbert Gerber is the trustee. Poirier is also looking for some financing from the contractors. Bagni tabled the discussion and asked Mr. Poirier return on January 22, 2018 with a contract and a timetable for the completion of the project.

**7:45 SCHEDULED APPOINTMENT – SHAYNE MCGLONE FOR VARIANCES AT 100 INDIAN TRAIL, 22 GLENWOOD ROAD, 63 OLD PELHAM STREET**

**100 Indian Trail – Local upgrade request**

15.405 (1b) – A reduction in the required setback cellar wall to S.A.S. from 20' to 10'

Our review engineer David Primmer stated the property needs a 2 bedroom deed restriction. The septic is designed to handle 450gpd (enough for 3 bedrooms) which is the minimum gallons per day required by

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the Town of Pembroke. McSweeney made a motion to accept the variance as written with a two bedroom deed restriction. Fine seconded and all were in favor.

**22 Glenwood Road – Local Upgrade Request**

15.405 (1g) – A reduction in the required setback from public water supply – tributary to S.A.S. and septic tank from 200' to 101' & 102' respectively.

Our review engineer David Primmer stated the distribution box should be designed for H2O loading to allow it to be driven on.

Ms. McSweeney made a motion to accept a reduction of the setback from public water supply tributary to S.A.S. and septic tank from 200' to 101' & 102' respectively and, also a d-box designed for H2O loading to be installed. Fine seconded and all were in favor.

**63 Old Pelham – Local Upgrade Request**

15.405 (1h) – A reduction in the separation between the bottom of the S.A.S. and the maximum seasonal high water table from 5.0' to 4.0'.

Mr. Fine made a motion to accept a reduction in the separation between the bottom of the S.A.S. and the maximum seasonal high water table from 5.0' to 4.0'. McSweeney seconded and all were in favor.

**8:45** – Bagni asked for a motion to adjourn. Mr. Fine made a motion to adjourn, McSweeney seconded and all were in favor.

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Gary Fine  
Acting Chair