



**TOWN OF WESTMINSTER**  
11 South Street  
**WESTMINSTER, MASSACHUSETTS 01473**  
(978) 874-7409 • Fax (978) 874-7462  
**BOARD OF HEALTH**

Minutes for November 17, 2021  
Board of Health Meeting, Room 205, 4:30 p.m.

Present: Board of Health members Dr. Michael Popik, Chairman; Mr. H. Chris Redkey, Mr. Ed Simoncini, Ms. Ann Loree, Health Agent, Elizabeth Penney, Administrative Assistant, Karen Powers, Jerry Powers, Charles Powderly, Linda Powderly, Ralph Carey, Ellie Carey, Mark Moschetti, F.A. Moschetti & Sons, Frank Bilotta, Bruce Erickson, Jordan Grondell, Ted Doucette, Doucette Engineering, Dave Perry, Chris Mossman, Trowbridge Engineering, Cindy Vincent, Kathleen Thibault, Peter Normandin Sr., Paul Grasewicz, Graz Engineering

Dr. Popik called the meeting to order at 4:30 pm. Minutes for September 15<sup>th</sup> signed.

**New Business:**

**2 Beach Circle** – Mr. Chris Mossman requesting Local Upgrade Approval for a tight tank installation. Mr. Mossman noted Title 5 allows a tight tank for seasonal properties. Dr. Popik made a motion to accept the request for a tight tank installation. Seconded by Mr. Simoncini. Motion passed.

**66A East Road** – Mr. Ted Doucette explained the system is in failure and is requesting a local upgrade approval including:

245-10 - Allow the system to be designed based on a percolation test that was not within the perimeter of the proposed soil absorption system,

310 CMR 15.405 (1) (i) – Sieve Analysis,

310 CMR 15.212 – Reduce the required offset from groundwater from four feet to not less than two feet.

Board members reviewed the number of rooms and bedroom, septic flow and discussed the room over the garage. Ms. Loree will go through the house to do the room count and bedroom count to determine if a Deed Restriction is allowable based on presumed bedrooms. Board members are agreeable to the three variances with the condition of confirmation of the room count and bedroom count. A second hearing will be scheduled for a future meeting based on confirming the room count and bedroom count.

**36 Newton Road** – Ms. Loree noted that upon a Title 5 inspection, it was determined the home has three actual bedrooms and eight rooms with a 330 GPD septic system. Owner Mr. Charles Powderly explained the use of the downstairs basement room. Mr. Simoncini made a motion to accept a three-bedroom Deed Restriction. Seconded by Mr. Redkey. Motion passed.

**170 Bathrick Road** – Ms. Loree noted on a Title 5 inspection that the number of presumed bedrooms was five and the total number of rooms is nine. Tenant Ms. Jordan Grondell explained the office area is acting as a hallway to the porch. It was determined that the house is currently in compliance Title 5 and local regulations pertaining to room definitions.

**H2O D-Box Discussion** – Mr. Mark Moschetti is requesting the Board consider a variance to install a plastic D-box at 36 Newton Road based on logistical issues with the landscaping at the property. Mr. Moschetti is also requesting the Board consider a plastic D-box on a case-by-case basis for replacement systems. Mr. Moschetti explained various reasons and suggestions regarding his request. Mr. Dave Perry also addressed the Board regarding his experience installing H2O D-Boxes. Mr. Simoncini noted that any change to the regulations would require a public hearing. The Board made a determination that more data is needed and request Mr. Moschetti to provide additional date for Board to review at the December 1<sup>st</sup> meeting.

**39 Turnpike Road** - Mr. Paul Grasewicz is requesting local upgrade approval:

245-3: Leaching areas to be 125% of Title V Design Criteria

Reduce the required size of an already massive leaching field due to the high percolation rate of 62 MPI.

310 CMR 15.405(1) (b) – Reduce the setback from SAS to swimming pools from 20' to 18' and seeking relief from the setback from the SAS to a slab foundation from 10' to 7'.

310 CMR 15.405 (1) (a) – Reduce the setback from the SAS to a property line from 10' to 8'

Mr. Simoncini made a motion to accept the septic plan with all variances with the condition that the plan needs to have a clean out of the sewer line per Title 5 regulations. Second by Mr. Redkey. Motion passed.

**1 Virginia Avenue** - Ms. Loree noted that at the September 15, 2021 meeting, the Board requested the engineer provide a septic system plan showing the traditional system without the IA system. Ms. Loree said the revised plan is still pending from the engineer. Mr. Simoncini noted that if the engineer submits a plan as requested by the Board, then the Health Agent can approve the septic plan without the septic plan coming before the Board.

Mr. Jerry Powers, abutter to 1 Virginia Avenue, brought forth a copy of the well variance request submitted by Mr. Peter Normandin from the September 15 Board meeting, and noted the request stated there is an existing house and existing well on the lot. Currently, 1 Virginia Avenue is a vacant lot. Mr. Powers referenced Board of Health minutes from June 2019 and various historical documents written by a former Health Agent.

Mr. Peter Normandin commented that there is no well application that has been submitted to the Board of Health at the present time.

Mr. Simoncini commented that the Board of Health policy does not grant variances for new construction with regards to septic systems. In the past, the Board of Health has approved with variances on well locations on new construction. The Board of Health created a policy to not grant well variances for properties that have been part of a subdivision. Mr. Simoncini noted that the Board of Health can only review and approve on septic and wells and some of the issues brought forth by Mr. Powers are related to zoning issues.

Mr. Simoncini said the Board of Health is waiting for a revised septic plan and information on the well. Mr. Simoncini advised the interested parties to monitor the agenda for upcoming meetings.

**Board Member Concerns:** Dr. Popik said the elementary school band concert is scheduled to be held at Montachusett Vocational Technical School. Ms. Loree advises to follow the DESE regulations when onsite and using school property. Mr. Simoncini suggested having a discussion at a future meeting regarding definition of a bedroom.

**Health Agent Update:**

**Flu Clinic** – Ms. Loree reviewed the flu clinic held on November 4<sup>th</sup>. Dr. Popik commented that he received feedback regarding the waiting time and lines. Ms. Loree and Mr. Redkey noted the issue with the new software program and within an hour the issue was resolved, and overall, the clinic ran smoothly. Ms. Loree thanked Mr. Redkey for volunteering and for the assistance provided by Wachusett Medical reserve staff and volunteers.

**Noise Meter** - Ms. Loree provided update on the cost of renting a noise meter for noise issues at 207 Worcester Road.

**Permit Renewals** – The staff is sending out the permit renewal notices that are due by December 31<sup>st</sup> including the Dog Variance for Wachusett Brewery.

Dr. Popik made a motion to adjourn. Seconded by Mr. Simoncini. Meeting adjourned at 7:02 pm.



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### BOARD OF HEALTH

Dr. Michael Popik

Edward Simoncini

**Attachments:**

39 Turnpike Road letter and documents  
2 Beach Circle letter and documents  
66 A East Road letter and documents  
36 Newton Road letter  
170 Bathrick Road letter

