



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

Meeting Minutes
Public Hearing
FEBRUARY 22, 2023

Board of Health Members in Attendance: Chairman, Mr. Edward Simoncini, Dr. Michael Popik, Mr. Matthew Pearson, Health Agent, Ms. Abigail Conlin, Assistant Health Agent, Mr. Robert Carpenter, Administrative Assistant, Ms. Stephanie Wiseman.

Residents in Attendance: Rebecca Connors, 53 S. Ashburnham Road, Shaukat Sodfi, Mass Colleges of Pharmacy, Observing Student; Suzanne Farias, 200 Minott Road; Linda Landry 9 Mossman Rd, Karen & Jerry Powers, 1 Virginia Ave, Rob Gendron, 48 Kent Road, Melissa Banks, 12 Kirali Court, Nate Johnson, 71 Knowler Road, Jeanne-Erickson, 4 Virginia Ave, Isaiah Grigas, 36 West Princeton Rd., Jessica Johnson, 71 Davis Rd, Linda Rogers 156 Princeton Road, Mike Ferris, 32 White Pine Drive, Maria Muehlke, 32 White Pine Drive., Anthony Dalli, 91 South Ashburnham Road, Lindsey Farnsworth, 209 South Ashburnham Road, Karen Moore, 75 West Princeton Road, Hannah Fisher, 91 South Ashburnham Road

Westminster Board of Health Public Hearing on the proposed changes to well and Septic Regulations was opened at 4:38 pm by Mr. Ed Simoncini, Chair.

Mr. Simoncini states the BOH is recording and asks if any others are recording. There were 2 others recording, Hannah Fisher, South Ashburnham Road, & Rob Gendron 48 Kent Road.

After introducing the board Mr. Simoncini gives a brief statement letting the residents know where the Board of health gets the authority to make regulations, which is by MGL Section 31 of c.111. In part it states that Board of health may make reasonable health regulations. A summary of such will need to be published in a newspaper of general circulation.

He goes on to include the minimum requirements for septic regulations, noting the board must hold a public hearing, with sufficient information also noted in the newspaper for 2 consecutive weeks. With that said he stated how the hearing would take place. The following is a brief summary of what was stated.

There would be 2 hearings if time permitted, one being the revision to the septic regulations (which is required by title 5), and the other would be to the well regulations (no hearing is needed, however the board is there with the residents so both will be heard). The board will not be voting on the regulations, this hearing is designed for the residents to voice their concerns to the board. Once all have been heard, the board will send the regulations to Town Counsel for review. After town council approves the regulation the board will then vote to approve or not approve. The board of health only concerns: "the protection of public health" The board is here to hear the concerns from residents. There were 5 individual written comments from residents. 1 concerned the well and septic system setback distance changes, and the other 4 were concerned with well setback changes. At this time Mr. Simoncini calls the residents up one by one to state their concern.

- **Jerry Powers-1 Virginia Ave:** states his concern that there is no definition for flood plain within the proposed changes. He is happy that there will be no variances allowed for new construction.
- **Nate Johnson- 71 Knowler Road:** he also agrees with Jerry Powers



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- **Mike Ferris – White Pine Drive** – wondered if the setback of 100 ft stays the same with septic. Mr. Simoncini states there are no changes to the setbacks for septic.

Mr. Matthew Pearson makes a motion to close the Septic portion of the hearing, Dr. Michael Popik seconds the motion, Mr. Ed Simoncini votes I as well. 3-0 Unanimous vote. Septic portion is closed.

Mr. Edward Simoncini opens the well regulations portion of the hearing. He reminds the residents that unlike the septic, they are not required to hold a hearing for changes to the well. But since everyone is there, and there are valid concerns, the board would like to hear them. He asks residents to be respectful of each other.

- **Linda Landry** – asks if the board if you sell your home would you have to make changes to an existing well. Mr. Simoncini states there are no changes for existing wells.
- **Jerry Powers – 1 Virginia Ave:** would like language regarding the flood plains. He would like no variances for wells for new construction, he would like the flood plains to be noted in the setback. 25ft from wetland or flood plain.
- **Isaiah Grigos: 36 West Princeton Rd:** wondering why the change, why make it less strict. Mr. Simoncini states that the board has been informed by legal that they cannot regulate anything that isn't affecting public health. It is still contingent upon the conservation commission approval. Mr. Matthew Pearson tries to explain that in the Planning Board regulations under a cluster developments, the 100 foot buffer may be a no disturb zone, so no work can be done in that area.

Mr. Simoncini states the setback for wetlands is on recommendation from town counsel. It could open up the board to litigation to not do it.

- **Linda Rogers – 156 So Princeton Road:** Asks a question of the board that could not be answered; it was a zoning question.
- **Anthony Dalli – 91 S. Ashburnham Road.** – He has concerns that this is a public health issue due to PFAS. Mr. Simoncini states that they cannot speak about PFAS, it is not on the agenda. Mr. Dalli is wondering why the board is being pressured to change the setback. Mass DEP recommends 25 ft.

Mr. Simoncini states that the board has not been told to change the regulations, they were told by legal that when reviewing the regulations that they can't put anything in there that can't be supported from a public health perspective.

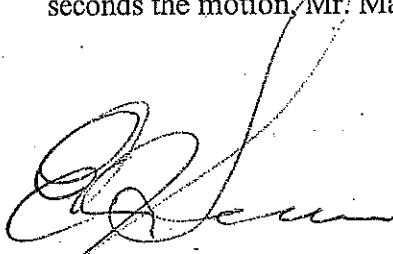
- **Karen Moore – 75 West Princeton Road :** Asks the board how we compare to the rest of the state in regards to well setbacks? Mr. Simoncini states the majority of the state has 25 ft setbacks from wetlands.




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- Mr. Ferris – White Pine Drive: would like to see in a glossary what a development is. Or cluster subdivision development. Mr. Simoncini states they will look into if development should be defined by the BOH. Mr. Ferris does not believe that these changes are driven for the benefit of the residents of Westminster. Mr. Simoncini states the board is not working to help anyone developer, then thanks Mr. Ferris for his comments/concerns.

Mr. Ed Simoncini moves to close the hearing. Dr. Michael Popik seconds the motion. Mr. Matthew Pearson votes. 3-0 Motion to adjourn the meeting at 5:42 by Mr. Simoncini, Dr. Popik seconds the motion, Mr. Matthew Pearson votes to adjourn. 3-0 All in favor. Meeting adjourned.



Edward Simoncini



Dr. Michael Popik

Matthew Pearson

Date: 3/1/23