



**TOWN OF WESTMINSTER**  
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**BOARD OF HEALTH**

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TOWN OF WESTMINSTER

Minutes for July 21, 2021  
Board of Health Meeting, Room 205, 4:30 p.m.

In Attendance: Board of Health members Dr. Michael Popik, Chairman; Mr. H. Chris Redkey, Mr. Ed Simoncini, Ms. Ann Loree, Health Agent, Elizabeth Penney, Administrative Assistant, Robert Bujold, Dave Perry, Chris Mossman, Cindy Vincent

Dr. Popik called the meeting to order at 4:30 pm.

**New Business:**

**39 Turnpike Road** - Mr. Dave Perry requested a waiver as noted in Town of Westminister Septic Regulations 245-20 - Title 5 inspections. The waiver pertains to an inspection and repair work at 39 Turnpike Road. Mr. Perry submitted a permit application for a D-Box replacement. Mr. Perry observed the D-Box was crushed and the leech field in failure. Mr. Perry explained he did a temporary repair as he did not want to leave hole open due to safety issues, noting the homeowners are an elderly couple. Mr. Perry explained to the homeowner it was a temporary fix. Mr. Perry noted he completed a Title 5 report that clearly states the system was in failure.

Ms. Loree stated the Board of Health office was not informed that Mr. Perry had conducted a Title 5 inspection and neither she nor the Assistant Health Agent were present to witness the inspection, which is required in the Town of Westminister. Board members reviewed the missing information from Title 5 report based on Mr. Perry not entering the house.

The Board made a determination that no waiver will be granted due to Mr. Perry not notifying the Board of Health, thus no staff on site to witness the Title 5 inspection. Ms. Loree will be present for a second Title 5 inspection with Mr. Perry to witness items that were not inspected during first inspection.

**Lot B-26 #3 Rock Maple Lane** – Mr. Robert Bujold explained his concerns about the placement of the well at Lot B-26 #3 Rock Maple Lane to wetlands, a man-made pond, on his mother's property. Mr. Bujold said he does not want to have to put in another well on his mother's property and is concerned about the amount of development in the area. Mr. Bujold also noted his concern that the Board of Health office did not go through due process to permit the well. Mr. Bujold noted what seemed to be a discrepancy with the address on the well application he received from the Health Agent. Ms. Loree explained the process of the Fire Department assigning street numbers and that the address filled out by the well driller on the well permit application is correct. Ms. Loree said the well permit application went through all the approval processes in 2017. According to the Board of Health minutes dated May 17, 2017, the Board of Health was in favor of the local variance request for well offset from 100 feet to 65 feet. Mr. Simoncini provided history of the parcel of land being subdivided. Developers requested variances on several lots that the Board of Health approved in 2017.

Mr. Bujold said he measured the distance and found the distance to be 61 feet. Ms. Loree stated she did go to the site, verified it is the correct lot noted on the well application, Ms. Loree walked the land using a map that identified well via GPS coordinates, she located the stake with Ben McDonald, Traditional Concepts. Ms. Loree said the well is in the same location as noted on the septic plan.

Dr. Popik summarized the well was drilled legally and there is reasonable tolerance of the variance issued by the Board of Health and the state regulations.

**3 Woods Road** - Mr. Chris Mossman presented request for variances: 125% of the traditional soil absorption system and the Advanced Presby pipes for this system, a reduction of the offset to ground water from 4 feet to 3

feet and sieve analysis. Mr. Mossman reviewed the plan showing the reduction in the number of rooms in the house.

Mr. Simoncini made a motion to approve variances at 3 Woods Road as presented with condition of a 4 bedroom deed restriction. Seconded by Dr. Popik. Motion passed.

**Old Business:**

**Public Hearing** – The August 4<sup>th</sup> Public Hearing notice was published in the July 20 edition of The Gardner News and posted on the town website and Town Hall bulletin board.

**Title 5 Inspections and Permitting** - Ms. Loree continues to train Assistant Health Agent to witness Title 5 inspections and noted Ms. Conlin is doing well. The Title 5 schedule is becoming more manageable as Ms. Conlin becomes acclimated to the process.

*Title 5 Inspector Checklist* - Mr. Simoncini reviewed the inspectors checklist to be included on the back of the Inspector permit.

*Title 5 Witness Checklist* - Ms. Loree noted her preference to continue using the current internal checklist.

*Title 5 Permit Application* – Mr. Simoncini requested one edit to include statement of acknowledgement that the inspector has read and agrees to abide by the inspection checklist on back of the application.

Board members reviewed the Title 5 Inspectors Permit Verbiage for Inclusion in Septic Regulations. Mr. Redkey requested one edit to the verbiage to include the "State of Massachusetts."

**Board Concerns –**

*Waste Management Follow Up* - Dr. Popik contacted Matthew Hill, Waste Management regarding notification of recycling pick up delays and issues.

**Health Agents Update** - Ms. Loree reviewed landfill odor complaints.

A White Pine Drive resident is inquiring with Ms. Loree regarding Lot 13A White Pine Drive. Ms. Loree has not received septic plan.

Ms. Loree reviewed the West Nile Virus cases reported in Southeastern Massachusetts.

Summer intern Sarah Dubois completed the well project.

Motion made by Dr. Popik to adjourn. Seconded by Mr. Redkey. Motion passed.

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Dr. Michael Popik

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H. Christopher Redkey

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Edward Simoncini

**Attachments:**

3 Woods Road documents

Title 5 Inspector Permit documents

Public Hearing Notice