



**TOWN OF LITTLETON**  
POST OFFICE BOX 1305  
LITTLETON, MASSACHUSETTS 01460  
**BOARD OF HEALTH**

**MINUTES**

**Meeting held on Tuesday, January 13, 2009 at 7:00 p.m.**  
**Littleton Town Hall, 37 Shattuck St. Room 307** *accepted February 10, 2009*

- 7:05** Vice-Chairperson Peter Yapp opened the meeting with three members present; Peter Cassinari, Joe Presti and Gino Frattallone.
- Permits, an invoice, and timesheets were signed.
  - A memo listing unfinished business items was reviewed.
  - Letters will be sent to the owners of **22 Florence St.** and **3 Adams St.** to attend the next BOH meeting.
- 7:15 Littleton Ridge Estates Building 9**  
Matt Arel (Emanouil representative), Doug Deschenes (attorney) and Matt Waterman (engineer) were present to explain the request for another variance for the existing permit. The previous owner had installed the septic system with too much cover. Components were still accessible. State approval is necessary after the Board grants its approval. **It was moved (Mr. Presti) and seconded (Mr. Frattallone) to grant an additional variance for soil cover to Littleton Ridge Estates Building #9, as depicted on the revised plan dated December 18, 2008, cover not to exceed 6 feet in depth and the tank to have an H20 rating.** **Aye, 4, unanimous**  
Mr. Doucette arrived at 7:30.
- 7:30 22 Aspen Rd.**  
Kirk Fitzpatrick of Civil Solutions was present for this upgrade hearing and gave the green cards of notification. Mr. Garreff's comments were read which suggested that another location be considered. Mr. Fitzpatrick stated that the lot was too wet for a perc test to be done. There was no refusal on this ~19,000 sq. ft. lot. A Presby system is planned. The Board was satisfied with the applicant's engineer justification that another location is not possible. **It was moved Mr. Yapp) and seconded (Mr. Frattallone) to grant the following variances for 22 Aspen Rd.**  
**Reg.#24 To allow the use of a retaining wall for break-out grading purposes**  
**Reg.#27 To allow fill required to meet minimum break-out grading requirements within 1 ft. of a property line, instead of the requisite 10 ft.**  
**310 CMR 15.405(1)(i) To allow the use of a particle size analysis (sieve test) to determine an application rate, instead of the requisite percolation test**  
**310 CMR 15.212(1) To allow a 2-ft. offset to groundwater with the use of the Presby Enviro-Septic, instead of the requisite 4 ft.**  
**310 CMR 15.405(1)(b) To allow the offset from a leaching area to a foundation wall to be 14 ft., instead of the requisite 20 ft.**  
**310 CMR 15.405(1)(b) To allow the offset from a septic tank to a foundation wall to be 7 ft., instead of the requisite 10 ft.**  
**310 CMR 15.255(2)(g) To allow the offset from a leaching area to retaining wall to be 7 ft., instead of the requisite 10 ft.** **Aye, 5, unanimous**
- 7:45 142 Mill Rd.**  
Kirk Fitzpatrick of Civil Solutions described the septic plan to upgrade this original system. Greens cards were presented. Bartlett Harvey, a next door neighbor and architect of the proposed addition, was also present to answer questions. The system will be increased from a four- to be a five-bedroom system to accommodate the new garage and living space above. No additional run-off will be directed towards Mill Rd. The

Board was comfortable with the plan as it meets the intent and does not increase the grade above the road.

**It was moved (Mr. Yapp) and seconded (Mr. Frattallone) to grant the following variance for 142 Mill Rd.;**

**Reg.#27 To allow fill for break-out grading to a property line, instead of the requisite 10 ft. offset.**

**Aye, 5, unanimous**

Mr. Fitzpatrick reported on another plan he is working on for **86 Colonial Rd.**, a property on the list of unfinished systems. Testing and a survey had been done.

**It was moved (Mr. Presti) and seconded (Mr. Frattallone) to place an order on 86 Colonial Rd. to complete its Certificate of Compliance by November 30, 2009.**

**Aye, 5, unanimous**

Minutes were reviewed. A request from Matt Field about the minutes of November 18 was discussed. The Board felt that the minutes reflected accurately what members had stated that evening.

**It was moved (Mr. Presti) and seconded (Mr. Yapp) to accept the minutes of October 14 and 30, November 4 and 18, and December 2 and 16, as amended.**

**Aye, 5, unanimous**

Correspondence reminding residents of expiring permits were reviewed and amended. They will be signed later by a Board member. A copy of the letter sent to residents whose system has recently failed was also reviewed.

Members discussed the new state regulation on outdoor wood-burning furnaces (i.e., hydronic heaters) and three were interested in attending an upcoming DEP seminar on March 18, 2009 in Worcester. Bev was asked to register Mr. Cassinari, Mr. Yapp, and Mr. Frattallone.

Mr. Doucette stated that he will write the annual report for the Board of Health this year. Mr. Presti volunteered to edit the draft.

The expiring permit for **27 Woodland Rd.** was discussed. This may be in foreclosure and Mr. Presti stated that he will investigate. Expiring permits for **49 King St.** and **166 Harvard Rd.** were also reviewed.

Mr. Yapp spoke of the new appraisal instrument from the Personnel Board and stated that he felt that the more in-depth form #2 would be preferred. Trainings for staff will be this Thursday and for Board members on February 2, 2009 at 7:00 p.m. in Room 103.

A request to move the emergency medical supplies to the Fire Department was discussed. Mr. Yapp will investigate the new space and report back to the members. Members stated that supplies should be checked twice a year for condition and replaced if needed. Accessibility to these supplies was considered very important in light of the experience during December's ice storm.

Mr. Presti's presented his final synopsis (draft read at the December 16<sup>th</sup> meeting) which is to be placed in Beverly's personnel file. Members discussed briefly who would have access to that file. Mr. Doucette stated that discussion on the matter was closed.

**It was moved (Mr. Yapp) and seconded (Mr. Cassinari) to place the synopsis by Mr. Presti and the letter regarding performance criteria by Mr. Doucette to be placed in Beverly's personnel file.**

**Aye, 5, unanimous**

Mr. Cassinari requested a copy of the e-mail reportedly sent between members after the December 16<sup>th</sup> regarding information on who had access to this file.

Mr. Doucette reported on his conversation with Deborah Garfield, LICSW, of Eliot Clinic. Ms. Garfield will be invited to speak with the Board on January 27<sup>th</sup>.

Monitoring reports were reviewed. Mr. Doucette stated that he will investigate further on those which have exceeded their allowable limits.

Regulations were discussed. Mr. Yapp and Bev researched for the Board a comparison of house sizes/styles from three time periods – 1950's, 1970's and recent years. The

spreadsheet compilation was reviewed. Mr. Yapp reported on his investigation with the regulations of surrounding towns, and his conversations with realtors. Mr. Yapp stated that other towns control the number of bedrooms with deed restrictions as their primary tool. Mr. Yapp wanted to have his position paper on his proposed Regulation #13 placed in the files. Mr. Doucette complimented Mr. Yapp and Bev on the work done as it was very helpful.

The proposed regulation on outdoor wood burning furnaces was discussed. Mr. Presti asked that Bev make copies of the final version of the regulation for the other members. He stated that he will send the regulation via e-mail.

**It was moved (Mr. Presti) and seconded (Mr. Frattallone) to close the hearing on regulation review.**

**Aye, 5, unanimous**

Copies of the new regulations (Chapter 224) will be made available at the February 10<sup>th</sup> meeting and they will be signed.

Mr. Yapp stated that he would not be at the next meeting on the 27<sup>th</sup> as he will be away. The meeting was adjourned at 9:45 p.m.

Respectfully submitted,  
Beverly Cyr  
Administrative Assistant