



# ***Billerica Board of Health***

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Robert Reader, Chairman  
Sandra Giroux, Vice Chairman  
Amit Gandhi, Ph.D., Secretary  
Marie O'Rourke  
Chris Ravin

Kristel Bennett, Director

## **BOARD OF HEALTH MINUTES**

**January 9, 2023**

Robert Reader, Vice Chairman called the meeting to order at 7:00 p.m. Also in attendance were Sandra Giroux, Secretary, Marie O'Rourke, Amit Gandhi, Ph.D., Chris Ravin, Kristel Bennett, Director and Joanne White, Recording Clerk.

### **OPEN MICROPHONE**

Mr. Reader asked if anyone would like to comment on Open Microphone.

Albert Tassone, 216 Rangeway Road, identified himself. Mr. Tassone stated that he received the water report from the Department of Public Works (DPW) regarding Bromate in the water, why wasn't the Health Department involved?

Mrs. O'Rourke stated that the Water Department has a scientist and a chemist that perform testing of the water.

Mr. Tassone commented that the Health Department is responsible for the well-being of the residents in Billerica. I would have felt better if DPW had coordinated with the Health Department and had the Director of Public Health sign the notification.

### **ACCEPTANCE OF MINUTES**

Mrs. O'Rourke made a motion to accept the Meeting Minutes of December 5, 2022.

Dr. Gandhi seconded. Four (4) voted in favor, Sandra Giroux abstained.

### **BOARD OF HEALTH BUSINESS**

#### **Reorganization of the Board**

Mr. Reader stated that the next item is the reorganization of the Board.

Mrs. O'Rourke recommended that the Board reorganize at the end of the meeting.

Mr. Reader agreed.

**Next Meeting – February 6, 2023**

Mr. Reader stated the next Board of Health Meeting is scheduled for February 6, 2023.

Mrs. Giroux informed the Board that she would not be present at that meeting.

**Health Department Activity Reports**

Mr. Reader stated the next item under Board of Health Business is the Health Department Activity Reports.

Mr. Reader stated the first activity report is from Health Agent, Phavy Pheng. Mr. Reader asked the Board Members if they had any questions.

Dr. Gandhi asked if a decision regarding the demolition of 21 Canterbury Street had been made?

Mrs. Bennett replied that she would follow-up with the Building Department.

Dr. Gandhi stated that he likes the approach of the bi-weekly treatment schedule for the cockroach problem at 4 Riverhurst Street, Building 5.

Mrs. Bennett replied that she agrees with the treatment schedule for the entire building on a bi-weekly basis.

Dr. Gandhi asked why has only 50% of the junk and debris been removed from 25 Yale Street.

Mrs. Bennett replied that the property owner's son is removing the junk and debris himself because they do not have the funding to hire a company.

Mrs. O'Rourke asked if the criminal complaint has been issued for 54 Connolly Road?

Mrs. Bennett replied that two (2) criminal complaints will be issued this week; 54 Connolly Road and 183 River Street.

Mrs. O'Rourke asked have the occupants moved out of the premises at 11 Lawrence Street.

Mrs. Bennett replied she was not sure and would follow-up on that.

Mrs. Giroux asked about the status of the oil spill at 292 Salem Road?

Mrs. Bennett replied that Department of Environmental Protection (DEP) is handling the oil spill. I have received notices from DEP that the property owner is working on the problem.

Mrs. Giroux replied that problem has been going on for over a year.

Mrs. Bennett replied that she will look into the status of the oil spill.

Mrs. Giroux commented is there anything that the Health Department can do to help make Ocean Glass a better neighbor?

Mr. Ravin asked when was the regulation passed that vaping products were illegal to sell in Billerica?

Mrs. Giroux explained a few years ago. Vaping products can only be sold in the 2 over 18 smoke shops in Billerica. Convenient stores, liquor stores or any other establishments that sell tobacco products cannot sell vaping products.

Mr. Reader asked about the status of the donation boxes.

Mrs. Bennett replied that Phavy has issued a citation for 308 Boston Road's donation box.

Mrs. O'Rourke commented that the donation boxes at Berman's Gas Station have been removed.

Mr. Reader stated the next activity report is from Health Agent, Shelagh Collins. Mr. Reader asked the Board Members if they had any questions.

Dr. Gandhi asked how long has the employee been sleeping in his car at Dunkin Donuts? Why didn't the manager address the situation and seek help from the Board of Health?

Mrs. Bennett replied that the employee has been living in his car for a couple of months. He is going to U Lowell and did not have the money to live in an apartment. He has been showering at the gym and the manager did not know what to do. He recently moved back to Florida.

Mr. Reader stated the last activity report is from Bethany Slack, Community Services Coordinator. Mr. Reader asked the Board Members if they had any questions.

Dr. Gandhi asked about the meeting with CareSolace and My Senior Center and the products and services they provide.

Mrs. Bennett replied that she attended the budget meeting today and there will be no additional funding provided for products and services. We will have to look into other opportunities.

Mr. Reader asked is there an increase in hoarding issues.

Mrs. Bennett replied no, there have always been this many hoarding issues. Now there is more information and help available.

### **BioBot Report**

Mr. Reader stated the next item under Board of Health Business is the BioBot Report.

Mrs. Bennett explained that the BioBot Report indicates the load of COVID in the wastewater that the town produces. Massachusetts is high. COVID in other communities are also trending upward.

Mr. Ravin commented the spikes are half of when the surge occurred. It doesn't seem to be as infectious as before. There has been a lot of random high spike's but we should not be overly concerned.

Mrs. Giroux stated that we do not need to be alarmed but we need to be aware of the situation.

Dr. Gandhi stated that we should continue to monitor the information and share it with Billerica residents. Dr. Gandhi asked are we sharing this information from the BioBot report?

Mrs. Bennett replied that this is good information to share. This report is sent to the Town Managers office. I will talk to Robert Maynard about posting the information on the Town of Billerica's website and social media at least once a month.

Mrs. Giroux asked what groups and sites is Bethany Slack posting information on?

Mrs. Bennett replied the Board of Health has a Facebook page that she is posting information on.

Mrs. Bennett stated that next month there is going to be a Stormwater Update from the Department of Public Works, Stormwater Engineer, Christina Papadopoulos. Mrs. Papadopoulos will be attending and presenting draft regulations for stormwater because she will be taking over all the projects that this Board has been voting on, the drainage issues and concerns and illicit discharge. She has been working on the By-laws to amend the regulations. At the meeting in February the regulations will be reviewed and updated.

**Discussion of an Appeal for Denial of a Request for Variance Enforcement**  
**423 Middlesex Turnpike**

Mr. Reader stated the last item under Board of Health Business is the discussion of an Appeal for a Denial of a request for Variance Enforcement at 423 Middlesex Turnpike.

Mrs. Bennett explained that in 2014 the Board granted a Variance to the property owner at 423 Middlesex Turnpike to construct a garage in the flood plain. The project was completed. However, the project was not closed out. Mrs. Bennett explained that Exhibit 4 Number 19 states that, **The two (2) car garage with a family room located above it that was built on the Subject Property as part of the Addition Project is situated in the same location where the centerline of the drain.** The drain line was not detailed on the plans when the Board voted on this project. The design engineer, Steve Dresser omitted a drain line for the proposed addition at 423 Middlesex Turnpike. The garage was constructed and as a result the abutting properties receive water. The abutters have taken the property owner of 423 Middlesex Turnpike to court and are suing them. The attorney that is representing the abutters is requesting that the Board of Health hold a hearing to address the non-compliance of the project. There are three (3) items that need to be addressed, the project needs to be built in accordance with Steve Dresser's engineered plans, (5) five flood vents need to be installed and the driveway needs to be constructed with porous materials. The attorney has requested that I go out to the property and document the non-compliance of the project and then submit my findings to the Board of Health and ask them to revoke or modify the 2015 Variance. I have not responded because they are in court. I have been

working with the Engineering Department and the Conservation Commission to put together documentation from all three (3) departments for this property. The documentation was given to the attorney that is representing the abutters. I do not feel at present that water is on the property anymore. I do not know when this occurred.

Mrs. O'Rourke asked can the Board of Health do anything because it is in court.

Mrs. Bennett replied the Board has two (2) options. You can either reject or accept their request.

Mr. Reader asked about the pipe under the garage floor?

Mrs. Bennett replied that she needs to do a little more investigation. DPW tried to tie into this pipe and add additional drainage to the property as a result of the water on this property. I don't know if the pipe is routed around the garage.

Mrs. O'Rourke asked Mrs. Bennett if the Board should talk to Mr. Berube about this because he was the Director when the Variance was granted. I don't know if this Board should take any action.

Mr. Reader stated so the pipe was an oversight on the plans.

Mrs. Bennett replied that Mr. Dresser did not include the pipe in the plans. Mrs. Bennett explained that the garage was built on the centerline of the drain.

Dr. Gandhi asked can we have a hearing if the case is in court?

Mrs. Giroux asked if Mr. Berube could come to the Board and explain the oversight of this project. We are charged with approving a project that has caused potential harm to someone's property. One engineer did not put it on the plans and the other engineer did not catch it. What can we do, should we have a hearing? We need that information before we can respond to the abutters. Can Mr. Berube come before this Board and summarize what happened? Mrs. Giroux asked if Mr. Dresser submitted the plans aren't they usually peer reviewed?

Mrs. Bennett stated that Mr. Dresser stamped the plans and is attesting to what is on the plans. This plan may not have been peer reviewed. A Green Engineering Flood Plain project of this size for a homeowner usually does not have a peer review. We are attesting that the engineer that has the license is producing plans that are accurate.

Mrs. Giroux stated that we need more information before Mrs. Bennett responds to the abutter's attorney.

Mrs. Bennett stated that she can do further investigation.

Mr. Reader asked has the water disappeared.

Mrs. Bennett replied yes.

Mr. Ravin asked if the resident got a variance to do the work and they did not do it, then flooding related to the work occurs, are the items separate from the flooding?

Mrs. Bennett explained that the abutters are making a claim that those items not being done are directly related to the flooding. This property was and is in the Green Engineering Flood Plain. The house is not in the flood plain but the new structure that should have flood vents for drainage and the driveway does not have the right material to drain properly. Some of the flood pockets in that area do not exist. I have not observed the property and the driveway. All the water that is draining off the property is going into the neighbor's property. The pictures show a huge amount of water.

Mr. Ravin asked if the Board approves the hearing can the Variance be pulled?

Mrs. Bennett replied the addition is already built. They have not closed out the Variance. The Board can suggest that the homeowner installs flood vents and uses porous materials for the driveway. The homeowner has an infiltration unit for all the water coming off the property.

Mrs. Giroux made a motion to continue the hearing until more information is available for the Board make a decision. Mrs. Giroux recommended that Mr. Berube appear before this Board and explain what happened with this Variance.

Mrs. O'Rourke seconded. So voted unanimously.

**7:15 p.m. 216 Rangeway Road – Albert Tassone – Request for a Waiver of Regulations**

Mr. Reader stated the first public hearing is Albert Tassone, 216 Rangeway Road, requesting a Waiver of Regulations.

Mrs. Bennett explained that 216 Rangeway Road, Swanson Meadows I, had a Title 5 Inspection done on December 28, 2021 and the report stated that the system needs further evaluation by the Board of Health because the tank was found to be deteriorating. I talked to Mr. Roux, Licensed Title 5 Inspector with the Town of Billerica, about Swanson Meadows I and the need to develop a plan for the repair. Part of the plan is to contact a structural engineer because of the size of the tank to determine if the tank can be repaired or needs to be replaced. I spoke with Mr. Tassone and a few of the condominium Board Members to discuss how to move forward. They found a company that could make the repairs inside the tank. They are finding it difficult to hire a structural engineer to take on the job and state that the company that is going to do the job will be adequate. I spoke with Kelley Conway, the Town Engineer and at the 2022 Spring Town Meeting Article 20 was approved for a betterment project to design and construct sewer on a section of Rangeway Road in the vicinity of 216-218 Rangeway Road. Ms. Conway provided me a copy of the anticipated schedule for the project. Under Title 5, the regulations allow the local authority to grant additional time for the repair to be done if they continue pumping the system on a regular basis.

Albert Tassone, 216 Rangeway Road, identified himself. Mr. Tassone stated that the Town has allocated money, but we are paying \$4,250,000 for the project. Mr. Tassone reiterated that the condo association is paying for the project not the Town. The Town is borrowing the money, because the Town gets a better rate, but it will be added to our taxes.

Mr. Reader asked is there a sewer line in that area.

Mrs. Bennett explained that the sewer line came down Rangeway Road as part of the Kennedy Meadows project. When they came before this Board, they said that Swanson Meadows I

and II could connect to the sewer line. I don't know what happened, but the pump station was not adequate to handle the Swanson Meadows project.

Mr. Tassone explained that the laws of Billerica state that anytime a sewer pipe passes a property the residents have a right to connect. They did install the stubs but we could not connect.

Mr. Reader asked are the stubs on the Swanson Meadows properties.

Mr. Tassone replied yes. The law states that we have four (4) years to make the repair. On December 28, 2021 it was impossible for anyone to tell us what was wrong with the tank because the tank was full. We did not drain the tank for anyone to inspect it. We hired a company that cost us \$4,000.00 to drain the tank and wash it out. I spoke with Kristel Bennett, Director of Public Health and told her the results of the tank evaluation from Savy & Sons. The company went down inside and told us what is wrong. The report from Savy & Sons states that we do not have a big problem and can wait for sewer in the area. I didn't like the idea of the residents paying for it but they want sewer.

Mrs. O'Rourke asked how many units are involved in this project.

Mr. Tassone replied 44 units are in Swanson Meadows I. We are going to have to run a larger pipe down the street and put in a new pump station. The pipe and the station are undersized.

Mrs. Giroux asked what are they trying to achieve tonight?

Mrs. Bennett replied they are requesting additional time and waive the requirements of having to repair the tank.

Mrs. Giroux stated so they want to avoid repairing the tank until sewer is available.

Mrs. Bennett replied yes. Title 5 allows the local authority to grant additional time as long as there is a sewer plan in place. Ms. Conway has provided me a copy of the sewer plan. The property owner has to commit to pumping the system on a regular basis.

Mrs. Giroux asked does the inspector for the Town think the tank will last until sewer is available?

Mrs. Bennett explained that Savy & Sons, the company they hired told us that the system will last until sewer is available. We did not have the Town's inspector there at the time.

Mrs. Giroux commented so the Health Department is taking Savy & Sons word that the tank will last. Savy & Sons is representing Swanson Meadows interest. Did we have anyone representing the Town?

Mr. Tassone replied yes. After the December 28, 2021 inspection we received a letter stating there was an inspection of the tank and the system and there is a problem.

Mrs. Giroux asked what prompted the inspection?

Mrs. Bennett replied that Swanson Meadows is required to have an annual inspection because of the size of the tank.

Mr. Tassone explained we were not there for the last inspection. I did not see anyone go into the tank. We hired Savy & Sons to do that type of work. They drained the tank and went in and gave me a report of their findings.

Mrs. Bennett explained that the inspector is required to provide a report of their findings.

Mr. Tassone explained that he spoke to Mrs. Bennett and she recommended that I contact a structural engineer. The structural engineer told me unless I put in a new tank, I have the wrong person. The structural engineer told me that I needed a civil engineer. I contacted Steve Dresser and he told me I needed a structural engineer. So I went back to the structural engineer. I checked with another structural engineer, and he told me the same thing they only check the placement and pressure. I talked to Mrs. Bennett and asked her what I should do. Mrs. Bennett told me that she would look into what could be done. I then called the Massachusetts Board of Health and they told me that they had nothing to do with Title 5 that is a local issue. I spoke with Mrs. Bennett and explained who I contacted and what they told me. We are requesting an extension of the Title 5.

Mr. Reader asked where they having any problems with the system?

Mrs. Bennett explained that the prior reports from Charlie Roux revealed no problems. The tanks weren't taking on groundwater compared to the tanks at Swanson Meadows II. If the tanks were vented initially, this problem could have been avoided. However, because of the aerobic environment and there is deterioration over time.

Mr. Reader stated so you think this is a reasonable request.

Mrs. Bennett replied yes, the request is reasonable. Mrs. Bennett commented that the Board can request an annual inspection of the tank.

Mrs. Giroux read the report from Charlie Roux where it stated the existing conditions: **heavy deterioration of concrete access riser and internal walls of tank in airspace both components leaking, rebar exposed in tank and pump chamber inlet invert leaking around the pipes** that needs further evaluation. Charlie Roux did the inspection and Richard Berube, Consultant for the Board of Health witnessed the Title 5 Inspection, how can there be such a discrepancy in the two reports, one from Charlie Roux and the one from Savy & Sons?

Mr. Reader asked what inspection did Richard Berube witness?

Mrs. Bennett replied the inspection that Charlie Roux did.

Ralph Delden, 216 Rangeway Road, Unit #113, identified himself. Mr. Delden stated that septic systems usually last twenty (20) years and the system is over twenty (20) years since this system was installed. Mr. Delden commented that it is common to have some concrete deterioration because the tank wasn't vented properly in the beginning. Savy & Sons informed us that they could give us a report explaining the life of the system for 7 years, 10 years or 20 years depending on what



time frame we wanted and how much we wanted to spend. There isn't any reason why with the amount of pumping we do that it won't last until sewer is available. We met with the Select Board and they suggested a betterment be applied to each resident to help pay for the connection. Mr. Delden asked if Mr. Roux would approve the waiver until sewer becomes available.

Mr. Tassone explained that he met with the Town Manager, John Curran and he stated that there is no way it is going to take four (4) years to install sewer. Mr. Tassone stated if there is a problem, we will take care of it immediately. We have shown that anytime there has been a problem it was fixed a week later.

Mr. Reader stated that he did not think what Mr. Tassone was asking was an unreasonable request.

Dr. Gandhi stated even though you are going to pump five (5) times a year, will the tank last until sewer is available?

Mrs. Giroux stated she would feel better if a new inspection is done, I don't understand why the two (2) reports are so different.

Mr. Delden stated that it sounds like they are different, but they are not.

Mr. Reader stated if the system fails, they are going to have to make corrections between now and the time they can connect to sewer.

Mr. Tassone stated the Town's law states we have four (4) years to make corrections. We have never waited long to fix a problem.

Mrs. O'Rourke asked when they pump the tank can they tell if the tank is deteriorating?

Mr. Delden explained that they drain the tank and send someone down.

Mr. Tassone explained that when the tank is pumped, I have told the pumping company to let me know the status of the tank. When the cover was deteriorated, we replaced immediately.

Mr. Delden asked if they could continue with the current maintenance plan and if a problem occurs, we will fix it immediately.

Dr. Gandhi made a motion to grant a Waiver of Regulations for 216 Rangeway Road to continue the use of the system in accordance with the provision of an enforceable schedule upgrade for four (4) years based upon the following facts and subject to the following conditions:

**FINDINGS OF FACT**

1. Title 5 Inspection was conducted on December 28, 2021, by Charlie Roux. This inspection revealed "septic tank #2 (in series) showing heavy deterioration of concrete access riser and internal walls of tank in airspace – both components leaking – rebar exposed in tank – pump chamber inlet invert leaking around pipe." It was determined that the system needs further evaluation by the local approving authority.

2. Board of Health received Mr. Roux's Title 5 inspection report on January 24, 2022. On March 1, 2022, Kristel Bennett, Director of Public Health sent a letter to Albert Tassone, Condo Board Trustee specifying actions be taken to determine that the septic system is functioning in a manner that protects public health, safety, and the environment.
3. On September 13, 2022, Ms. Bennett received a repair proposal for Savy & Sons to conduct a repair of the tank. Ms. Bennett reviewed the report. On October 3, 2022, Ms. Bennett informed the property manager that the Savy and Sons proposal does not satisfy the requirements listed in the March 1, 2022, letter.
4. On November 22, 2022, Ms. Bennett met with Mr. Tassone to discuss the March 1, 2022, Board of Health letter and action items for corrective measures. Mr. Tassone is asking for a waiver from the requirements of installing a vent on the septic tank and a waiver of the Title 5 Inspection.
5. Title 5 requires that a septic system shall be inspected at or within two (2) years prior to the time of transfer of title to the property served by the system. An approved connection to the town sewer system would satisfy this requirement.
6. That portion of Rangeway Road which abuts the property located at 216 Rangeway Road is proposed to be sewerred. A memorandum date December 29, 2022, from Kelley Conway, Town Engineer states" "At Spring Town Meeting, Article 20, \$4,250,000.00 was approved for a betterment project or design and construct sewer on a section of Rangeway Road in the vicinity of 216-218 Rangeway Road. The following schedule is anticipated for the project: Jan. 2023 – Sept 2023 Design; Oct 2023 Bid Award; Construction state June 2024; and completion of project 2026 construction season."
7. The owner of any building upon property abutting a sewer line, who has entered into an agreement to sell said property, shall be required to connect to said sewer line prior to the completion of the sale of said property pursuant to the General By-Laws of the Town of Billerica, Article VIII, Section 2.2.
8. The existing septic system serves 44 dwelling units located at Swanson Meadows I Condominium Association, 216 Rangeway Road, N. Billerica, MA.
9. 310 CMR15.305(1)(b) allows the Board of Health to permit the continued use of the existing system in accordance with the provisions of an Enforceable Schedule based on a commitment to connect to the municipal sewer system.
10. On January 3, 2023, Ms. Bennett approved the request for a waiver, and scheduled a hearing before the Board of Health, based on 310 CMR 15.305(1)(b).

**CONDITIONS**

- A. The owner and any subsequent owners shall take appropriate measures (for example: regular pumping) to ensure the protection of the public health and safety and the

environment pursuant to 310CMR15.305 (1)(b), until such time that an approved sewer connection is completed.

- B. Annual Title 5 inspection is required of the septic system to ensure the protection of the public health and safety and the environment until such time that an approved sewer connection is completed.
- C. The existing septic system shall be abandoned following connection to municipal sewer in compliance with 310CMR15.354. Specifically, the septic tank shall be pumped of its entire contents by a licensed septage hauler. After being pumped, the bottom of the tank shall be ruptured so as to prevent retainage of water then the tank shall be completely filled with clean sand.
- D. The dwelling shall be connected to sewer within thirty (30) days of availability by an approved contractor.
- E. The owner(s) or subsequent owner(s) shall provide a copy of the sewer connection permit to the Board of Health.
- F. Failure to comply with this agreement may result in a penalty and give cause for legal action to be taken by the Board of Health to correct this matter.
- G. This agreement shall be recorded at the Registry of Deeds to run with the property and shall be legally binding to these and all subsequent owners. A certified copy of this agreement shall be returned to the Board of Health indicating that a marginal deed reference was made on the original deed.
- H. This agreement shall not limit the authority of the Board of Health to properly carry out their responsibilities under the Massachusetts State Environmental Code and to properly protect the health, safety and the environment, at any reasonable time as considered necessary.
- I. Such approval shall expire December 31, 2026, or upon failure of the applicant for such approval to meet interim deadlines set forth in the enforceable schedule for upgrade and the plan.
- J. This agreement shall not be construed as a guarantee of the operating performance of the existing system. Furthermore, it is explicitly implied that this agreement hold harmless the Town of Billerica and its employees from any liability that may result from adverse conditions which may develop from continued use of the existing onsite subsurface sewage disposal system.
- K. Upon completion of the work described herein, the applicant shall forthwith request in writing that a Certificate of Compliance be issued stating that the work has been satisfactory completed.
- L. This order does not relieve the permittee or any other person of necessity of complying with all other applicable federal, state or local statutes, ordinances, by-laws or regulation.

- M. This order may be extended by the issuing authority upon application to the issuing authority at least thirty (30) days prior to the expiration date of this order.
- N. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this order.
- O. Agents of the Board of Health or their designee's, such as the Board of Health's Consulting Engineer or others so designated shall have access to property covered by these conditions to make inquiries, conduct inspection, or take actions deemed necessary to protect the public health and the environment.

Mrs. O'Rourke seconded. Four (4) voted in favor, one (1) vote opposed, Sandra Giroux.

Mr. Tassone stated that he was going to contact Charlie Roux and Richard Berube and ask them if they could explain the Title 5 report to him.

**7:30 p.m. Guilherme Domingues – Bella Pizza – 113 Boston Road - Request a Waiver of Regulations for an Exterior Grease Trap**

Mr. Reader stated the last public hearing is Guilherme Domingues, Bella Pizza, 113 Boston Road requesting a Waiver of Regulations for an exterior grease trap.

Mrs. Bennett explained that Mr. Domingues, Bella Pizza has moved from one unit to another in the same plaza at 113 Boston Road and is requesting a waiver for the installation of an exterior grease trap. There will be no seating in the new location. The plan has all the necessary sinks. He is installing a new grease trap.

Guilherme Domingues, owner of Bella Pizza, identified himself. Mr. Domingues explained that the new grease trap is being installed under the 3-bay sink.

Mrs. Bennett explained that there are several establishments in town that the Board has granted a waiver for the installation of an exterior grease trap.

Mrs. O'Rourke asked if there was another restaurant in that location that has an exterior grease trap.

Mr. Domingues replied that there is no other establishment in that plaza that has an exterior grease trap. Espresso Pizza is in the next plaza and does not have an exterior grease trap.

Mr. Ravin asked what is the difference between an interior and exterior grease trap?

Mrs. Bennett explained that an interior grease trap is smaller and an exterior grease trap has additional capacity for storage for grease and prevents it from going into the sewer line.

Dr. Gandhi asked about the diagram of the interior grease trap.

Mrs. Bennett stated that she has not seen the specification sheet for the interior grease trap and the agreement from the septage hauler for the removal of the grease.

Mrs. Giroux stated that without the specification sheet for the interior grease trap, the written agreement for grease removal and the amount of fried food you will be preparing, I do not feel comfortable.

Mr. Reader asked is the interior grease trap going to be emptied once a month.

Mr. Domingues replied yes, I filled out the application with the company and I am waiting for confirmation.

Mrs. Giroux asked when do you think you will get that?

Mr. Domingues replied I just sent the information last week.

Mr. Reader asked when do you plan on opening?

Mr. Domingues replied I just picked up the Building Permit. I need to get the plumbing and electrical work done. The plan is to open as soon as all the work is completed.

Dr. Gandhi asked in the long run would it be more cost effective to install an exterior grease trap because of the cost of picking up the interior grease.

Mr. Domingues replied the septage hauler does not charge me because they use the oil that they pick up. They also don't charge me for cleaning the interior grease trap.

Mr. Reader asked would it be possible to have the oil picked up twice a month.

Mr. Domingues replied yes.

Dr. Gandhi stated that makes me uncomfortable when you get something for free.

Mr. Domingues explained that it is not free, they are getting the oil and they use it.

Mrs. Bennett asked do you have to empty the grease trap yourself.

Mr. Domingues replied sometimes.

Mrs. O'Rourke asked how much does an interior grease trap cost.

Mr. Domingues replied about \$11,000.

Mrs. Bennett asked what is the size of the grease trap?

Mr. Reader asked Mr. Domingues if he expected to be open before February 6

Mr. Domingues replied he did not think he would be ready.

Mrs. Giroux made a motion to continue the hearing until the February 6<sup>th</sup> Board of Health Meeting for Bella Pizza, 113 Boston Road in order to allow time for more information to be presented.

Mrs. O'Rourke seconded. So voted unanimously.

**Reorganization of the Board**

Mr. Reader stated the Board of Health will reorganize at this time. Mr. Reader turned the meeting over to the Secretary, Sandra Giroux.

Mrs. Giroux stated that she would take nominations for Chairman.

Mrs. O'Rourke made a motion to nominate Robert Reader as Chairman.

Dr. Gandhi seconded. So voted unanimously.

Mrs. O'Rourke made a motion to nominate Sandra Giroux as Vice Chairman.

Chris Ravin seconded. So voted unanimously.

Mrs. O'Rourke made a motion to nominate Dr. Gandhi as Secretary.

Mrs. Giroux seconded. So voted unanimously.

The meeting was turned back over to Mr. Reader, Chairman.

Mrs. Giroux asked for more information on Bromate?

Dr. Gandhi asked if we could have a discussion regarding Bromate levels and the astronomical spike in October 2022 and the Board of Health involvement. Would it be possible to have someone come in and talk about the metrics for opioids related overdose deaths in Billerica over the last seven years?

Mrs. Bennett stated she would invite Mike Higgins, Substance Abuse Coordinator to attend the March 2023 meeting and explain what the statics are in Billerica compared to other communities.

Mrs. O'Rourke made a motion to adjourn.

Mr. Ravin seconded.

The Board adjourned at 8:50 p.m.

Respectfully submitted,

Sandra Giroux  
Secretary

Joanne M. White  
Recording Clerk