

BOARD OF HEALTH MINUTES
March 4, 2013

Marie O'Rourke, Chair, called the meeting to order at 7:00 p.m. Also in attendance were Robert Reader, Vice Chair, Sandra Giroux, Secretary, Daniel Kane, Mike Grady, Richard Berube, Director and Joanne White, Recording Clerk.

EXECUTIVE SESSION

Mr. Berube explained that the Executive Session was canceled due to new developments regarding the ongoing litigation with the OM Temple.

ACCEPTANCE OF MINUTES

Mrs. Giroux made a motion to accept the Meeting Minutes of January 7, 2013.
Mr. Grady seconded. Three (3) voted in favor, one (1) vote abstained (Robert Reader).

Mrs. Giroux made a motion to accept the Executive Session Minutes of February 11, 2013.
Mr. Kane seconded. So voted unanimously.

Mrs. Giroux made a motion to accept the regular Meeting Minutes of February 11, 2013.
Mr. Grady seconded. So voted unanimously.

BOARD OF HEALTH BUSINESS

Health Department Activity Reports

Mrs. O'Rourke stated the first item under Board of Health Business is the Health Department Activity Reports.

Copies of the Health Department Activity Reports for the months of January and February are included in the Boards package.

Mrs. O'Rourke stated the first report is from the Health Agent, Phavy Pheng.

Mr. Berube explained that a hearing has been scheduled for 78 Pinedale Avenue on March 18th, 2013 at Lowell Superior Court. All parties who claim ownership of 78 Pinedale Avenue will be present at this hearing. Hopefully this matter will be resolved soon.

Mrs. O'Rourke stated that this case has gone on long enough. Mrs. O'Rourke asked Mr. Berube if he was going to be present at the hearing with Phavy.

Mr. Berube replied yes. Mr. Berube stated that he is going to explain to the judge the Board of Health's position and request that action be taken.

Mr. Berube explained that a Show Cause Hearing for 2 Carmena Road has been continued to March 27, 2013 at the Northeast Housing Court. Mr. Berube stated that the owner is not making a good effort to clean up the property.

Mrs. O'Rourke explained that she visited the property at 2 Carmena Road and Phavy is right the place is a dump. I told Mr. Bursey that he needs to clean up the property. Mr. Bursey told me that he would take care of it after the snow melts.

Mr. Berube commented that they are not making the progress that we would like to see.

Mr. Berube explained that a Show Cause Hearing is scheduled for 483 Middlesex Turnpike on March 27, 2013 at the Northeast Housing Court. The owner has failed to respond to a final warning letter.

Mr. Reader asked has this case gone to court before.

Mr. Berube replied no.

Mr. Reader asked if the owner is living there.

Mr. Berube replied that he is not sure.

Mrs. O'Rourke stated that she has spoken with the owner of 7 Woodbury Road. The owner is under the impression that she cannot go back to her house and do anything.

Mr. Berube explained that she cannot live in the house because she has no heat and water.

Mrs. O'Rourke explained that she told the owner that it is still her house and she pays the taxes, so she can go in and see what needs to be done to rehab the house. She told me that Phavy said she cannot go back to her house at all.

Mr. Berube explained that some of the junk and debris cases have been closed and some of the long standing cases are coming to a closure.

Mrs. O'Rourke asked what does no change in status at 2 Sylvan Road mean.

Mr. Berube explained that nothing has been done. The problem is not that bad. All the owner has to do is to put the stuff away.

Mr. Berube explained that the abandoned properties located at 353 Concord Road and 31 Glad Valley Drive have been sold.

Mr. Berube explained that there have not been any complaints from Empire Recycling. An inspection will be conducted in the spring. We will remind Empire Recycling that they need to continue with their plan for noise mitigation.

Mrs. O'Rourke asked the Board Members if they had any questions regarding Phavy Pheng's report.

The Board Members did not have any questions.

Mrs. O'Rourke stated the next activity report is from the Public Health Nurse, Christine West.

Mr. Berube explained that Christine is in the process of finalizing all paperwork for the flu clinic reimbursement. Christine continues to administer all vaccines on an as needed basis and also continues with Communicable Disease Reporting and follow-up. School physicals were given at the Board of Health office on Friday, March 1, 2013 with the Town Pediatrician, Dr. Guyestky.

Mrs. O'Rourke asked the Board Members if they had any questions regarding Christine West's report.

The Board Members did not have any questions.

Mrs. O'Rourke stated the last activity report is from Health Agent, Gary Courtemanche.

Mr. Berube explained that Gary conducted two (2) pre-opening inspections for Chang An Restaurant, located at 258 Salem Road and a Residential Kitchen located at 363 Salem Road.

Mr. Grady asked about the recycling center at 26 Cook Street and why the trucks are parked out front.

Mr. Berube explained that the operation consists of servicing the bottle and can recycle machines and packaging the recycle products from the surrounding communities. The trucks are parked out front

because we wanted to avoid a noise issue. The entire operation takes place inside the facility. The machines are serviced and then sent out to the supermarkets.

Mr. Reader asked if the Chinese Restaurant is going to open at the old Cove Restaurant, 265 Boston Road.

Mr. Berube replied yes, they have already been before the Zoning Board of Appeal. They should be contacting the Board of Health office soon.

Mr. Reader asked are they going to demolish the building.

Mr. Berube replied that they plan on renovating the building.

Mrs. O'Rourke commented that the name of the restaurant is going to be the Purple Bamboo. Mrs. O'Rourke stated that she heard you cook the food at your table on a Hibachi.

Mr. Courtemanche stated that it is a chain out of China.

Mrs. Giroux asked Mr. Courtemanche if he could explain what a residential kitchen is.

Mr. Courtemanche explained that a residential kitchen under the Massachusetts Food Code can be done out of a residents home. There are different standards for a residential kitchen that are more restrictive as to what they can make. They cannot have any potentially hazardous foods. They can make baked goods. They can only sell to retail customers or friends. If they sell to restaurants the State gets involved. If they sell over the internet then the FDA gets involved. We have to check the labels to make sure that the ingredients match the label. The dishwasher has to reach the temperature of 180 degrees. The kitchen has to be clean and they cannot have any pets.

Mrs. O'Rourke asked the Board Members if they had any questions regarding Gary Courtemanche's report.

The Board Members did not have any questions.

FY12 Annual Report

Mrs. O'Rourke stated the next item is the FY12 Annual Report. Mrs. O'Rourke asked if any of the Board Members had any questions regarding the Annual Report.

Mr. Kane asked are all permits issued every year. Is the number of well permits for new permits or permits that are issued annually?

Mr. Berube replied that the number of well permits is for new wells.

Mr. Grady asked is there a charge for the portable toilets that are located on the Little League Fields. Do they need a permit for those toilets?

Mr. Courtemanche replied that we do not charge non-profit organizations.

Mr. Berube explained that we only look to make sure that the company that provides the portable toilet is licensed with the Board of Health.

Mr. Kane commented that the number of portable toilets is zero.

Mr. Berube explained that we do not charge the Septage Haulers company if they are licensed with the Board of Health. We do not charge Recreation or town agencies that use portable toilets. I do not know why we have portable toilets on the list.

Mrs. O'Rourke asked when a subdivision is being built isn't there a portable toilet on the site for the workers.

Mr. Berube replied yes. As long as a company has a Septage Haulers license with the Board of Health we don't require a permit. However, if a complaint is filed with the Board of Health regarding the portable toilets then we investigate the complaint.

Mr. Kane asked if the construction company or the town agencies that use portable toilets contact the Board of Health office to make sure the Septage Haulers are licensed with the Town.

Mr. Berube replied yes.

Beaver Control 2012 Year End Report

Mrs. O'Rourke stated the next item is the Beaver Control 2012 year end report.

Mr. Grady asked about the culvert on Republic Road and the legal matters.

Mr. Berube explained that there are some ongoing legal issues plus there is some work that has to be done with the cul-de-sac. We are awaiting approval from the Department of Environmental Protection (DEP) and funding from the Town. Once that work has been done then we can install flow devices. The chronic problem areas are the Middlesex Canal and Content Brook corridor. We continuously have to do some trapping there. The beavers have moved further downstream on Content Brook but so far they have not made much of an impact.

Mrs. O'Rourke asked if the flexible pond leveler pipe was installed on Andy Card's property.

Mr. Berube replied yes.

Mrs. O'Rourke asked is Mr. Card happy now.

Mr. Berube replied he does not know. I think the only way that he would be happy is if all the beavers on his property were eliminated and his land was restored back to the way it was twenty (20) years ago. But that is not going to happen. Once wetlands are established the property cannot be drained and the wetlands can not be destroyed.

Fee Schedule Survey

Mrs. O'Rourke stated the next item is the Fee Schedule Survey.

Mr. Berube explained that since we are changing some of the regulations, the fee schedule will be impacted. The last Board of Health Fee Schedule was adopted six (6) years ago. Joanne White, Principal Clerk has put together a survey of communities that have similar demographics. The proposed fee schedule shows the recommendations that we are suggesting. Mr. Berube recommended that the Board Members review the changes so that a vote can be taken to adopt the proposed fee schedule at the April 1, 2013 Board of Health Meeting along with the regulation changes. Ron Beauregard has provided the Board Members with an attachment regarding the Tobacco Fees across the State. Mr. Berube stated that the Board may want to consider increasing the tobacco fee to one hundred twenty-five (125) or one hundred fifty (150) dollars.

Mrs. O'Rourke asked Mr. Berube if he was going to set up a meeting for the public hearing.

Mr. Berube replied that he would take care of the advertising for the public hearing for the regulation changes and the proposed fee schedule.

Mrs. O'Rourke asked if the Board Members had any questions regarding the proposed fee schedule.

The Board Members did not have any questions.

153 Nashua Road

Mr. Berube stated the last item under Board of Health Business is 153 Nashua Road. Mr. Berube explained that the applicant has withdrawn their request for a variance. As a courtesy, all the abutters that we had an email address for were notified.

Mrs. O'Rourke asked why the applicant withdrew his request.

Mr. Berube replied that he did not give a reason. In the future there may be a proposal for some kind of construction on that property.

7:30 p.m. MWS Co. Limited Partnership – Sterling Road – Hearing Stormwater Management Approval

Mrs. O'Rourke stated the next item on the agenda is MWS Co. Limited Partnership, Sterling Road hearing for Stormwater Management Approval.

Lawrence Beals provided the Board with a large scale drawing of the proposed project to be located at Sterling Road.

Lawrence Beals, Beals Associates identified himself. Mr. Beals explained that Beals Associates has been working with Middlesex Gas and Technologies, Inc. (MG&T) and the owners of the proposed site to be located on Sterling Road. We have prepared and designed a proposal for Stormwater Management. BETA Group has reviewed the plans. Beals Associates will address their comments. Mr. Beals pointed to the plans and explained where the headquarters would be located on the site. The site to be developed is located on 6.71 acres on Sterling Road. We are close to the corner of Esquire and Sterling Road. MG&T did not need all that property so the front half was subdivided and the proposal is to construct a 36, 400 square foot building. MG&T is in the business of buying industrial gases such as nitrogen, argon, oxygen and helium in bulk and breaking it down into smaller containers and selling it on a retail basis to laboratories, institutions, hospitals and welders. Tom and Bill Martin are brothers and have owned the business for a long time. They have a great safety record. They are consolidating their plants in Everett and Lowell and bringing their business into Billerica. We met with the Building Inspector and explained the project. There were a number of questions that we have addressed from the initial design. We have met with the Planning Board and they are comfortable with most of the aspects of the design. The Planning Board did not want to close its hearing until the Board of Health rendered its decision. We met with the Zoning Board of Appeals and received a favorable decision on a couple of waivers that were needed. Mr. Beals pointed to the plans and explained why the waivers were needed because of the green strip around the building, the truck docks and a concrete pad. The Zoning Board of Appeals felt that we adequately justified the reason for the waivers, so the waivers were approved. Mr. Beals pointed to a large wetland and the minor portion that extends into the property and explained that the Director of Environmental Affairs, Adam Bossi went out and visited the site and confirmed that the proposed project was not subject to the Conservation Commission's jurisdiction. We are seeking stormwater management approval from the Board of Health. Greg St. Louis from our office is responsible for the design of the stormwater management system and has made the changes to the stormwater management system that Matt Crowley from BETA Group has recommended. Greg St. Louis is present tonight to explain in detail the stormwater management system and answer any questions that the Board may have.

Gregory St. Louis, Project Engineer, Beals Associates, identified himself. Mr. Louis explained that the proposed project will be located on the north side of the toe ridge running from the northwest side to the southeast side on Sterling Road. The high point of the site is at the rear southwestern corner of the site. The site pitches at a fairly steep slope toward the front of Sterling Road. There are two (2) water sheds, one is an onsite water shed where the water infiltrates into the ground and the second is a road side berm associated with the original construction of Sterling Road. During construction we are

going to create a level building path for the proposed 36,000 square foot building and part of that will include cutting down a portion of the hillside. We have performed ten (10) borings on the site both around the building perimeter and along the cut slope. We have not observed any groundwater. The site erosion control plan is to start with the cut slope, provide earth control matting as we dig down the hillside and provide temporary sedimentation basins in separate locations to infiltrate the water as we clear the site. There will be a series of interceptor trenches that will step down the hillside as the site is leveled. The proposed drainage system uses a combination of both open and closed drainage systems. The cut slope on the south and western side of the site is under drained. The site has been subdivided into small catchments where they will drain into deep sump catch basins which will then run down into forebays before discharging into the infiltration basins along the Sterling Road side of the property. We have segregated the roof drainage as part of our peer review response. It will now discharge into a perforated pipe that over flows into the infiltration area as well. We met with the Board of Health peer review on Friday, March 1, 2013 to go over the proposals and revisions and to address the peer review comments that BETA Group has provided.

Mr. Berube explained that included in the Board's package is a review report from BETA Group dated February 11, 2013. At the meeting on March 1, 2013 we went over all of BETA's comments. Beals Associates has provided a further comment letter in response to BETA's review.

Mrs. O'Rourke asked about an open pit or basin in BETA's report.

Mr. St. Louis replied that he did not recall that comment. Mr. St. Louis explained that the first peer review comment was in regards to the infiltration areas that are being proposed during the post construction of the facility. To address that comment we suggested that the bottom elevation of the temporary basin be 24 inches across all of the infiltration areas to restore the infiltration capacity of those systems. This will allow for the top layer of choked soils to be removed following grading activities. The second comment was directed towards providing the flows in each of the culverts around the system to provide 2.5 feet per second (fps). Some of the enclosed drainage areas were small enough to include the pipe velocities for the appropriate size pipes. Some of the runs from the catch basins at the entrance are forty (40) feet so there will be no problem cleaning them. Rainfall intensities have been revised to use the "Atlas of Precipitation for the Northeastern United States and Southeastern Canada." They have provided us with a printout from the website that gives current updated precipitation events based on new statics. The stormwater management system has been designed to attenuate the flows with the exception during a two (2) year storm event the discharge to Sterling Road is slightly increased by .07. The distance between manholes is less than 250 feet. We are proposing to extend the existing sewer line within Esquire Road to serve the site. The extension will include approximately 800 feet of 10-inch sanitary sewer main with 4 proposed sewer manholes that will discharge to the existing 10-inch main in Esquire Road. That portion of the project is currently being reviewed by the Billerica Engineering Division and they have been providing additional comments.

Mrs. O'Rourke asked why the snow storage area has been removed.

Mr. St. Louis explained that the snow storage was on the edge of a detention basin it was removed so that we are not intentionally plowing snow into the detention basin. The corrugated plastic pipe shall be inspected to prevent deformation that may damage the pipe prior to installation and proper handling. Ponds 1 and 5 have less than one (1) foot of Freeboard during the 100 year storm event. The ponds will be provided with at least fourteen (14) inches of Freeboard. The emergency spillway detail has been removed. No overflow from the infiltration ponds is proposed at this time. We were requested to revise the curtain drain detail to remove the 6-inch layer of loam and replace it with crushed stone to promote rapid transport of stormwater into subsurface infiltration system. That detail has been revised accordingly. It is recommended that the roof top runoff be separated from the westerly closed drainage system and route to the infiltration basin via perforated pipe system. That has been done. Manholes have been provided to remove catch basin connections. We have added manholes at two locations at the entrance. Sediment forebays have been provided as pretreatment before stormwater is discharged to an infiltration basin. Catchment areas at the entrance have been further subdivided to their individual catch basin and new catchments. The revised model at the southern entrance indicates that the flow is less. The revised model at the northern entrance indicates that the flow is in excess of the requested 1.75 CFS. We have provided double grate inlets at the north entrance to collect any additional flow at the inlet. A request has been made that we submit a copy of the SWPPP (Stormwater Pollution Prevention Plan) and NPDES (National Pollution discharge Elimination System) Permit. We will submit both those prior to construction to include all the necessary orders and conditions. We have revised our Long Term Operation and Maintenance Plan to include restoration activities over the detention ponds to remove any sedimentation that accumulates over time. As previously mentioned the snow storage area that is located outside of the employee entrance has been removed.

Mrs. O'Rourke asked Mr. Berube if he would like to comment.

Mr. Berube replied that Matt Crowley from BETA Group is present to explain the review on behalf of the Board of Health.

Matt Crowley, Professional Engineer with BETA Group, identified himself. Mr. Crowley explained that BETA Group is providing peer review services for the Board of Health and the Planning Board. We submitted comments on February 11, 2013 and as of last week we have had some correspondence with Beals Associates. We met Richard Berube, Director of Public Health and Greg St. Louis, Beals Associates on Friday, March 1, 2013 and discussed some of the comments. We received the revised documents and revised response to the comments on March 4, 2013. I have not had time to do an extensive review of the latest documents. Mr. Crowley stated that most of the concerns have been addressed. However, there are four (4) major issues that we are still looking at. The first issue is to provide sufficient catchments at the exits of the site to make sure the flow is going to by-pass the catch basins before going into Sterling Road. The second issue is to make sure that the stormwater receives proper pre-treatment prior to going into the infiltration basins. The third issue is to make sure there is sufficient separation from the bottom of the infiltration pond with the ground water table. The fourth issue is to update the rainfall intensities data as defined by the Northeast Regional Climate Center "Atlas of Precipitation for the Northeastern United States and Southeastern Canada." I have not had time to

review the responses that Beals provided but it looks like they are making every effort to address all the comments.

Mrs. O'Rourke asked has deep hole testing been done.

Mr. St. Louis replied yes.

Mr. Berube explained that test holes and ten (10) borings were done.

Mr. Reader asked should this hearing be continued until BETA Group has time to finish their review.

Mr. Berube explained that Beals Associates is very close at this point. I recommend that the hearing be continued to the April 1, 2013 Board of Health meeting. That will allow BETA Group the chance to review all the supporting data and verify everything that Beals has presented tonight. I think the Board will then be in a better position to grant the stormwater management approval with all appropriate the conditions.

Mrs. O'Rourke asked the Board Members if they had any questions.

The Board Members agreed that the hearing should be continued.

Mrs. Giroux made a motion to continue the hearing until BETA Group has an opportunity to review the supplemental materials submitted March 4, 2013 in support of Beals Associates response letter.

Mr. Kane seconded. So voted unanimously.

8:00 p.m. Stephanie's Restaurant – 504 Boston Road – Request a Waiver of Regulations

Mrs. O'Rourke stated the last item on the agenda is Stephanie's Restaurant, 504 Boston Road, requesting a Waiver of Regulations.

Attorney James Haroutunian, identified himself. Attorney Haroutunian explained that he is representing Cosmos Yiannos, the new owner of Stephanie's Restaurant located at 504 Boston Road. We are requesting a Waiver of Regulations for an exterior grease trap. The argument that was made at the Board of Health meeting held in 2011 is that the grease being found in the sewer in the street was the result of Sichuan Gourmet as opposed to Stephanie's Restaurant due to the disparity in food, oil discharge and the sink usage. Since Sichuan Gourmet has installed an exterior grease trap, Stephanie's readings have been good. The new owner, Cosmos Yiannos has retained my services in obtaining a waiver with the same rules and regulations. Mr. Yiannos is aware of the Best Management Practices (BMP's), the interior grease trap maintenance obligations and is willing to address any concerns that the Board may have.

Mrs. O'Rourke asked has the new owner changed anything inside as far as the way the food is prepared and distributed. Is he doing business the same as the previous owner?

Attorney Haroutunian replied that he is not changing anything at all. The menu is the same and the kitchen layout is going to remain the same. It is just that a new owner is taking over the business.

Mr. Berube explained that included in the Board's package is a report from Health Agent, Gary Courtemanche. Gary is present tonight to explain what has transpired over the past year.

Mr. Courtemanche explained that when the exterior grease trap was installed for Sichuan Gourmet a manhole was installed that would intercept both establishments and would give access to test the effluent waters coming from Sichuan Gourmet and Stephanie's Restaurant separately. We conducted the testing which was done by the Department of Public Works (DPW) Wastewater Division. Stephanie's paid for the testing. We did six (6) months worth of testing. As I indicated on my report anything over 100 milligrams per liter of fats, oil and grease is a concern. We conducted six (6) tests and one (1) test was over 100 milligrams per liter. After doing some investigation we found that they hired a new dishwasher and he was scraping off the excess raw pizza dough into the three (3) bay sink. As a result when the raw pizza dough entered the warm water from the grease trap the still active yeast expanded inside the grease trap and blocked any other grease from settling. After the problem was corrected we did a test approximately one (1) month later and the results were fine. Other than that one (1) incident there has been no other issues. If the Board decides to grant the Waiver of Regulations I recommend that the Health Department and DPW continue to monitor the grease discharge for an additional six (6) months to make sure the new owner is on track with the proper maintenance procedures. The cost of the testing will be the responsibility of the applicant.

Mrs. O'Rourke asked the Board Members if they had any questions.

The Board Members did not have any questions.

Mr. Berube stated that as long as Stephanie's continues with the Best Management Practices that have been ongoing in the past year and we monitor the situation closely, they should be fine with granting the waiver. If there is a problem down the road we will revisit the problem immediately.

Mrs. O'Rourke asked if there is a problem down the road and Stephanie's needs an exterior grease trap, would they be able to tie into the exterior grease trap that Sichuan Gourmet has installed or would they have to install their own.

Mr. Courtemanche replied that he is not sure that the size of the Sichuan Gourmet's exterior grease trap could handle both restaurants that would be a question for an engineer.

Mr. Berube stated that the exterior grease trap for Sichuan Gourmet is oversized because they recognized that a lot of grease is generated with their own operation and they wanted to have an

oversized grease trap for added protection. In the event that Stephanie's needs an exterior grease trap they would have to install a separate one.

Mrs. O'Rourke asked is there enough room in the parking lot for another exterior grease trap.

Mr. Berube replied yes there is plenty of room in the parking lot.

Mrs. O'Rourke asked is there any other facility in the strip mall that would need an exterior grease trap.

Mr. Courtemanche replied no.

Mrs. Giroux made a motion to grant a waiver of the Billerica Health Regulation, Chapter 5, Section 2.2.001 that requires the installation of an exterior grease trap to serve the food service establishment at 504 Boston Road. With the stipulation that the applicant will continue with the Best Management Practices, the grease discharge will be monitored by the Health Department and DPW for six months and the cost would be the responsibility of the applicant. If there is a problem this waiver can and will be revoked. This waiver is based upon the following findings of fact and subject to the following conditions:

FINDINGS OF FACT

1. The work described in the applicant's request is within an area subject to protection under the Board of Health's Rules and Regulations, Chapter 5, Section 2.2.001.
2. The existing food service establishment is under new ownership. The change in ownership requires the new owner to bring the food service establishment into compliance with all current applicable rules and regulations (e.g. the installation of an exterior grease trap).
3. The applicant proposes to use the existing alternative grease recovery unit (GRU) located within the food service establishment. The interior grease recovery units will be monitored and cleaned every month. A maintenance record shall be kept and made available for inspection by the Board of Health. In addition, the applicant proposes to continue the Best Management Practices (BMP's) implemented by the prior owner.
4. The Board of Health has determined that the actions proposed by the applicant are adequate measures to protect the public health and environment and complies with the intent of Board of Health Rules and Regulations. Further, approval of the applicant's request will not be detrimental to the public health and environment.

CONDITIONS

Standard conditions number 10, 14, 15 and 25 in accordance with the Board of Health regulations and Special Conditions:

- A. These conditions, imposed by the Board of Health, cannot be changed without the written approval by the Board of Health and only after a proper public hearing is held.
- B. The applicant shall provide a copy of a maintenance agreement with a qualified service company to pump and maintain the interior grease traps every month or more often to ensure proper functioning of the grease recovery system. The applicant shall keep all pumping and maintenance records and make them available for inspection by the Board of Health.
- C. The food service establishment (FSE) shall work with the Board of Health to implement Best Management Practices (BMP's) to prevent or reduce the discharge of Fats, Oil and Grease (FOG) and to the building drain and the sewage disposal system. The FSE shall train the staff to ensure that the BMP's are followed. The owner and employees of the FSE shall sign an acknowledgement of BMP's for Food Service Employees and submit the acknowledgements to the Board of Health.
- D. This waiver shall be subject to periodic review by the Board of Health to ensure compliance with applicable rules and regulations.
- E. The Board of Health in conjunction with the Town of Billerica Department of Public Works (DPW) Wastewater Division shall monitor the grease discharge from Stephanie's Restaurant for any violations of the Town of Billerica Sanitary Sewer Rules and Regulations and the Board of Health Rules and Regulations for a period of not less than six (6) months. All costs associated with the monitoring shall be paid for by the applicant.
- F. In the event of a grease blockage or other significant violations relative to the maintenance of the grease recovery system, this waiver shall be **immediately** revoked. The applicant shall be required to install an exterior grease trap to serve the food establishment. The exterior grease trap shall be designed and constructed in accordance with the State Environmental Code, Title 5.
- G. This waiver can not be transferred from one person to another person, from one food establishment to another or from one type of operation to another.

Mr. Grady seconded. So voted unanimously.

Open Microphone

Mrs. O'Rourke asked if anyone was present for open microphone.

No one was present for open microphone.

Mr. Reader made a motion to adjourn. Mrs. Giroux seconded.

The Board adjourned at 8:10 p.m.

Respectfully submitted,

Sandra Giroux
Secretary

Joanne M. White
Recording Clerk