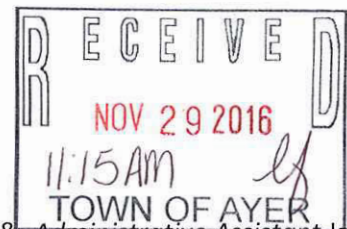
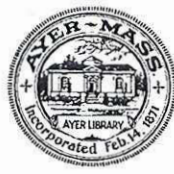


**TOWN OF AYER BOARD OF HEALTH
Meeting Minutes of October 3, 2016**



Meeting called to order at 5:30 pm.

Members present: Chair Mary Spinner, Member Pamela Papineau, Clerk Patricia Peters, & Administrative Assistant Jane Morriss. **Also in attendance:** Mark Saydah's Administrative Assistant Jennifer Rich, Planning Board Chair Jim Fay, Abutter Ruth Rhonemus, Project Manager for David E. Ross & Assoc. Neil Gorman & DPW Superintendent Mark Wetzel
Meeting recorded by APAC

PUBLIC INPUT: None.

NABOH

Routine Food Permits have been issued for: Global Montello Group dba Mr. Mike's Citgo, Billiards Café, Dan's Place, Ayer Gulf, Ayer Convenience, Pauline's Variety, Mango Grill, Ayer Shop and Save, Taco Bell, Dunkin Donuts, Wok & Roll, The Cottage Restaurant, and Ayer Package Stores. Permits to engage in the business of the manufacturing or bottling of carbonated nonalcoholic beverages, or water were granted to CPF and Northeast Hot Fill Co-Op. A routine inspection was conducted at Ayer Guns & Sportsmen's Club. B. Braley is actively engaged in getting the owner of 43 Highland Avenue to clean up the premises. The Lamp & Dragon's permitting process is in the process of being completed.

STATUS OF ARMY CORP OF ENGINEERS' SHEPLEY'S HILL REMEDIATION PROGRAM (P. Papineau):

P. Papineau e-mailed Robert Simeone, BRAC Environmental Coordinator, Army Corp of Engineers, seeking more understanding about the events that may have prompted the article that appeared in the September 16, 2016 edition of the *Nashoba Valley Voice* ("Army Seeks to Halt Devens Arsenic Cleanup—20 years after base closure, landfill still leaks toxins," by Anne O'Connor). He replied that he has no idea what prompted the article at this time. The Army Corp of Engineers cannot make any changes without DEP or the EPA approval, and the Army has not filed any formal request to abandon the pump and treat remediation on the site. The next RAB meeting has been postponed until November 3.

PUBLIC HEARING: REQUEST FOR SPECIAL PERMIT UNDER AQUIFER PROTECTION DISTRICT HEALTH REGULATIONS (41 E. MAIN STREET, MARK SAYDAH):

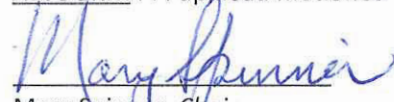
At 5:45 p.m. Clerk P. Peters opened the Public Hearing by reading the legal notice published in the September 16 and 23 editions of the *Nashoba Valley Voice*. The applicant, Mark Saydah, was not in attendance. Neil Gorman, an engineer with David E. Ross & Associates, was on hand to present the plans and discuss the issues involved in addressing the Aquifer Protection District Health Regulations. He explained the various strategies in the plan to capture water run-off from the site to re-charge the aquifer, and he claimed that the provisions were adequate to absorb the water of a 100-year-storm. The soil tests showed 2-minute perks, which means the soils on the site are very receptive to water. Jim Fay, Chairman of the Ayer Planning Board, urged the BOH to hold back on any action until after the Planning Board holds a site plan review. He said the Planning Board voted at its January 7, 2010 meeting to require a site plan review. The applicant didn't come before the Planning Board again until this spring, at which time Jeremy Callahan, then serving as Chairman of the Planning Board, opined in an e-mail that the plan was an ANR. However, he stressed that this was the opinion of the chairman, and did not reflect a vote of the Planning Board. J. Fay said he was going to recommend the applicant be referred back to the Planning Board for a full site-plan review. He also urged the BOH to require the applicant to post a performance bond before considering granting a variance. DPW Superintendent M. Wetzel told the Board that he has reviewed the plans and has no problem with the project. The Board wanted time to go over the information submitted by DPW Superintendent Mark Wetzel just before voting, and so P. Papineau made a motion to continue the meeting until 5:30 pm October 17, and TP 2nd. A 3/0

Following the vote, the applicant was instructed to provide the costs associated with the maintenance plan so the Board might determine the bond amount. The applicant was also asked to correct the address on the operation and maintenance log form appearing on page 4 of the Operation and Maintenance Plan.

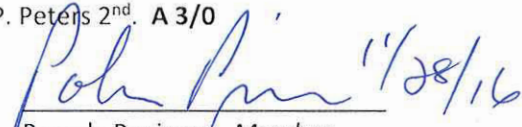
ADMINISTRATIVE MATTERS:

- Next Meeting: M. Spinner will report on the quarterly meeting of the NABOH Executive Board and P. Papineau will report on the next RAB meeting.

ADJOURN: P. Papineau motioned to adjourn the meeting at 7:18 pm with P. Peters 2nd. A 3/0


Mary Spinner, Chair
11/28/16

Patricia Peters, Clerk


Pamela Papineau, Member
11/28/16