

TOWN OF AYER  
**BOARD OF HEALTH**

TOWN HALL – 1 MAIN STREET – AYER, MASSACHUSETTS 01432 – (978) 772-8213

**Minutes of November 23, 2020 - Ayer Board of Health Meeting**

Location: First Floor Meeting Room, Town Hall

Meeting was recorded and broadcast by APAC

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TOWN OF AYER  
TOWN CLERK

**Members Present:** Pamela Papineau, Chairman, and Patricia Peters  
(Members participated remotely)

**Also Present:** Heather Hampson, Administrative Coordinator

**Chairman Papineau opened the meeting at 5:36 PM**

**Public Input**

None.

**Deed Restriction Request 2 Rattlesnake Drive**

*Present: Bruce Ringwall, GPR, Inc. Representative and Attorney Thomas Gibbons and property owner Calvin Moore*

Mr. Bruce Ringwall stated that they are before the Board of Health this evening hoping that the Board will grant a restriction of deed for the property located at 2 Rattlesnake Drive. The property consists of 84 acres with a 2-bedroom septic system that just passed a Title V inspection. The owner of the property, Mr. Calvin Moore is planning on demoing the existing home and building a new house with 5 rooms on the lower level and 4 rooms on the upper level. There are only 2 proposed bedrooms all other rooms are open and pass through. They are requesting the deed restriction since there will only be 2 bedrooms in the proposed in home and the current system has passed a Title V. They do plan to replace the current 1,000-gallon tank with a new 1,500-gallon tank to bring the system up two current Title V requirements for a 2-bedroom system.

P. Papineau stated that she had a hard time finding the design flow for the current system within the Title V report and asked Mr. Ringwall for the information.

B. Ringwall stated that based on the size of the leaching bed with a six-minute perc rate the design flow for the current system is 645 gallons per day.

P. Papineau asked if the design flow was stated on the Title V report.

B. Ringwall stated that it was not and has based the design flow of the existing system.

P. Papineau stated that she spoke to Health Agent, Bridgette Braley, about the septic system on the site and the septic permit that was found for the property states that the system is a one-bedroom septic system.

B. Ringwall stated that is correct but under Title V the existing system is over designed and has the design



flow for a two-bedroom system. The plans for the new house on the property on Rattlesnake Drive is for a two-bedroom home.

P. Papineau stated that the house is over 7,000 square feet.

B. Ringwall stated that the house has been designed to be an open concept with only two-bedrooms and two bathrooms. The remaining rooms are all open and only have walls were structurally needed.

P. Papineau stated that Title V goes by the number of rooms not the number of bedrooms in a home.

B. Ringwall stated that the Board is also allowed to grant a deed restriction allowing for the existing system to stay.

B. Braley stated that the approved system on file with the Board of Health is for a one-bedroom system. The proposed construction is all new construction and under Title V must meet the requirements as new construction. With the room count on the proposed new construction under Title V there should at least a four-bedroom system installed on site.

Attorney Gibbons asked what the date was on the septic permit on file.

B. Braley stated it was dated 1977 and the Board has to look at what is on file and use that in order to make a decision on the property.

Attorney Gibbons stated that the propose construction is for a two-bedroom house and the Board can grant the deed restriction keeping it a two-bedroom home.

B. Braley stated that under the new Title V with new construction a four-bedroom system is needed with the room count.

There was a discussion regarding the Title V requirements, the room count of the proposed construction as well as allowing for the deed restriction.

P. Papineau stated that based on Title V and B. Braley recommendation she does not feel that the Board can grant a deed restriction for the property since it is new construction and needs to comply with Title V.

P. Peters agreed and did not feel a deed restriction should be granted for the property.

**At 6:26 PM P. Papineau made a motion to deny the request for a deed restriction for the property located on Rattlesnake Drive. P. Peters seconded. No discussion. Unanimous vote to approve. (2-0-0)**

**NABOH Report (B. Braley) and COVID-19 Discussion:**  
**COVID-19**

B. Braley stated that the case numbers in the towns covered by Nashoba continue to increase by 30-50 per day. Many of the cases are coming from community spread, people having parties and indoor dining. There is major concern with a surge in cases coming after the Thanksgiving Holiday.

B. Braley reminded everyone to check the mass.gov for any questions regarding testing sites and other COVID-19 questions.



### **Nashoba Report**

B. Braley mentioned that she is still waiting for information from Stephen Wentzell regarding Mimi's Place.

### **Administrative Matters**

#### **Joint Appointment with Select Board for new member**

P. Papineau mentioned that Town Manager, Robert Pontbriand, contacted her regarding the two applicants his office received to fill the vacancy on the Board. The Select Board meets on December 1<sup>st</sup> and December 15<sup>th</sup>. The Board will request to be on the December 1<sup>st</sup> agenda for a joint meeting with the Select Board to appoint a new member.

### **Minutes October 28 and November 9, 2020**

**At 6:55 PM P. Papineau made a motion to approve the minutes from October 28, 2020 and November 9, 2020 as presented. P. Peters seconded. No discussion. Unanimous vote to approve. (2-0-0)**

### **Fiscal Year 2022 Budget Request**

P. Papineau stated that Fiscal Year 2022 budget requests are due to the Town Manager by December 4<sup>th</sup>. P. Papineau has sent reviewed the budget from this fiscal year and is requesting the same as all department have been asked to keep a level funded budget.

**At 6:55 PM P. Papineau made a motion to submit a level funded budget for Fiscal Year 2022. P. Peters seconded. No discussion Unanimous vote to approve. (2-0-0)**

### **Permits**


H. Hampson stated that she had sent out all the tobacco and trash hauler renewals and have started receiving some back. She will send P. Papineau the permits to sign and send out second notices in the next week.

### **Action Items for December 14, 2020**

P. Papineau stated that the Public Hearing for Casa Manor will be on the agenda for the next meeting along with an update from B. Braley on COVID-19.

### **Adjourn:**

**P. Peters motioned to adjourn the meeting at 7:01 PM, and P. Papineau seconded. No discussion. Unanimous vote to approve. (2-0-0)**

  
Pamela Papineau, *Chair*

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Patricia Peters, *Member*

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Respectfully Submitted,  
Heather Hampson, *Administrative Coordinator*

