

## Board Members

Michael Heavey, Chair  
Jack Mill, Vice Chair  
Khalid Abdi, Member  
Eric Lindstrom, Member  
Katherine Tonelli, Member  
Beth Hallal, Agent  
Kelly OBrien, Secretary



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# TOWN OF MEDWAY COMMONWEALTH OF MASSACHUSETTS

## BOARD OF HEALTH MINUTES

**Date/Time of Meeting:** Tuesday, October 27<sup>th</sup>, 2020 at 6:00pm  
**Location of Meeting:** Connected via ZOOM, centralized at 155 Village St, Medway  
**Committee Members Present:** Khalid Abdi, Michael Heavey, Eric Lindstrom, Jack Mill, Katherine Tonelli  
**Visitors Present:** Dave Linardy, 28 Winthrop St, Medway Resident (*Petitioner*)  
Paulette Burgeron, 3 Wild Turkey Run, Medway Resident (*Petitioner*)  
Ron Brossi, 7 Maple St, Medway Resident (*Petitioner*)  
Gregory Base, 3 Maple St, Medway Resident (*Petitioner*)  
Paul Doherty, D&D Mulch and Landscape, (*Representative of D&D*)  
**Town Employees Present:** Beth Hallal, Kelly OBrien  
**Call to Order:** 5:59pm  
**Minutes Approval:** August 12<sup>th</sup> & September 24<sup>th</sup> (*with one alteration on the 9/24 minutes from Mr. Lindstrom, correcting park name from "Choate" to "Oakland" on minutes. APPROVED both August 12<sup>th</sup> & September 24<sup>th</sup>, 2020.*)

**Item 1:** Motion to approve by Mr. Heavey, seconded by Mr. Mill. Board approved.

Septic System Repair  
Scott Priest, 21 Saddle Hill

**Item 2:** Motion to approve by Mr. Heavey, seconded by Mr. Mill. Board approved.

Septic System Repair  
Carlos Molinari, 47 Clark

**Item 3:** Motion to approve made by Mr. Heavey upon the condition that water is tested and found suitable for consumption. Motion seconded by Mr. Mill. Board approved.

Well Permit  
Roche's Building Co, Inc.  
Adams Street (*Lot 15*)

**Item 4:** Mr. Linardy started the discussion expressing his distaste D&D. Mr. Linardy indicated D&D has alleviated some of the problem by paving their site, but is not satisfied; stating that because of dust and noise, he is unable to enjoy his porch. Mr. Lindary feels that he resides in a residential area and these complaints need resolution. Mr. Heavey corrected Mr. Lindary, indicating D&D is considered "agricultural." Mr. Linardy disputed Mr. Heavey's statement, inquiring how it can be "agricultural" when it is "for-profit". Mr. Mill chimed in stating that as an agricultural entity, it can be for-profit. Ms. Hallal then indicated that categorizing D&D falls under the purview of Zoning; not Board of Health. Mr. Linardy said his petition is for concerns surrounding traffic, dust and noise. Mr. Heavey stated that their complaints should also be addressed with Zoning, Building, and the Selectment. Mr. Linardy noted an undesirable odor, too. Mr. Brossi then seconded Mr. Linardy's complaint on noise, adding "tractor trailers come in with jake-brakes, tail gates are slamming, and their drum processor is constantly running". Mr. Brossi questioned who was monitoring organic material, and Ms. Hallal indicated that monitoring is done by the Department of Environmental Protection (DEP); ensuring that licenses are concurrent with the state. Mr. Brossi then asked who was monitoring how many loads are going in and out, and where is the cap? Ms. Hallal reiterated that it is the state that controls trucking, roads, etc...

Mr. Bayse introduced himself stating that he lives on Maple St and the trucks are “out of control”; explaining that he leaves at 6:30am for work and they are starting at that time. Mr. Bayse questioned start and stop times, if they were being enforced, and if the noise is being measured. Mr. Heavey stated that there are laws in place for decibal-rating noise testing, but testing usually happens when the noise is constant. Mr Heavey said he will make recommendations to Zoning, Building, and Selectmen to address this issue further, strongly urging the petitioners to forward complaints as well. Mr. Linardy questioned why Building and Zoning did not attend this meeting. Ms Hallal replied that it was because this is a Board of Health complaint for noise, dust and traffic, and was unable to answer under those sectors. Mr. Bryce stated that the drum grinder is constant, and questioned whether or not it falls under the Board of Health. Mr. Burgeron expressed frustration, indicating they are tax payers that pay salaries, and feels that D&D has offended petitioners to such an extent that it’s effecting their mental health, and town officals should stand up for them. Mr. Heavey will seek advisement and enforcement. Ms. Hallal mentioned that the smell has nothing to do with D&D; its from a previous tenant at that location who was dumping manuer, and praised D&D for cleaning it up. Mr. Linardy agreed with Ms. Hallal, noting they are not positive where stench is coming from. Mr. Mill wanted to hear from Mr. Doherty, representative from D&D. As Mr. Doherty was beginning to speak to concerns surrounding smell, dust and noise; indicating he has 36 trucks in company; none with jake brake, the meeting was then compromised, terminating the conversation and meeting.

**Tabled Items:**

Discussion RE: Dogs on trails

**Adjournment:**

**Meeting was terminated at 6:40pm**