

**Minutes of the Carlisle Board of Health  
December 11, 2007**

Present: Board Members Jeffrey Brem (Chairman), Bill Risso, Chris Deignan; Leslie Cahill; Absent Michael Holland; also present: Linda Fantasia (Agent), Sarah Hart Carlisle Mosquito

The meeting was called to order at 7:35 p.m. at the town hall.

**MAHB TRAINING** – Brem, Risso and Deignan attended the certification and training. The day long training included discussion on regionalization, how to handle fire, flood and food safety emergencies, and legal recourses for dealing with sanitary code violations.

**INTERMUNICIPAL AGREEMENT WITH THE CONCORD HEALTH DEPARTMENT** – The Board met with Brent Reagor, the new Public Health Administrator (PHA) for Concord, to discuss the agreement which provides inspectional services from the Concord Health Dept to the Carlisle Board of Health. The three-year agreement expired on 6/30/07. Services have continued under an MOU pending the hiring of a new PHA. Reagor does not see any reason to change the services, but would like to edit some of the language in the agreement. He is working with Concord's Finance Director on costs. A new agreement will be sent to Carlisle for approval. The Board noted that while most of the services are non-engineering, occasionally there may be a need for engineering services. Reagor said this is included in the agreement. Cahill asked about Emergency Preparedness. Risso would be interested in working with Concord on neighborhood networks. Reagor said the Concord Fire Chief has been very active in setting up groups and emphasizing personal preparedness. Brem suggested sharing resources, noting that the high school is already a shared shelter for both towns. Carlisle does not have a fully equipped shelter since the school does not have its own generator. The Board is looking into obtaining a portable generator for the school. In response to an audience question, Reagor said Concord does have Reverse 911. Carlisle is looking into an emergency notification system.

As for the agreement, the Board agreed to another three year contract with annual increases. The current agreement has one rate for all services. The Board discussed whether the cost should be tied to the particular service. Mark Pisiello, in the audience, asked whether the inspectors when working in Carlisle fall under the Concord or Carlisle Board of Health. The Board said that inspectors would be covered under their employment agreement with Concord when working in Carlisle, but that Carlisle decisions are made by the Carlisle Board of Health, not the Concord Board of Health. The Board thanked Reagor for the update and wished him luck in his new position.

**PH 217 HEALD ROAD** – replacement of a failed soil absorption system requiring local upgrade approval. Present for the hearing was Joseph March of Stamski & McNary, Inc.

March said the system failed a Title 5 Inspection. The proposed design includes a Presby Enviro leach field. The design calls for remedial use approval for a 2.0' offset to groundwater and 40% reduction in field size. The leaching area will be more than 100' from wetlands, but the tank and pump chamber will be 66' and 68' respectively. Groundwater was found at 4.0' with a 48 mpi percolation rate. The Presby system will reduce the height of the mound compared to a conventional system. Fewer trees will need to be removed due to less grading. The system will need to be inspected annually. A Local Upgrade Approval form will be filed with the state. Rob Frado reviewed and approved the revised plan which addressed his previous comments. The system is designed for a garbage grinder. March thought there was one installed at the house.

Brem asked why March chose a parallel rather than serial distribution. March said that either was allowed under the design specifications. He believes that the parallel design is more effective in distributing waste water. Serial distribution takes a longer time for effluent to reach the end lines. March said he had no problem with changing to serial if that was the Board's preference.

The Board asked about the well at 191 Heald Rd. After looking at the property file, the well may be only 130'. The plan states that there are no wells within 200'. March agreed to field locate the well and change

the note if needed. Brem asked about a 3.0' offset. March said they had looked into various designs and alternative systems, including Cultec. The Presby system with a 2.0' offset best fits the site. March provided the Board with a conceptual plan of a 3.0' mound. There would be no significant reduction in the amount of grading from a conventional system. March said the 2.0' offset is allowed by Presby and approved by DEP. Brem said he prefers greater separation but would not deny based on this.

The Board agreed on the following: the Presby-Enviro design will be changed to a series distribution; the well at 191 Heald Road will be field located and if less than 200' located on the plan with a change to the note. March agreed to submit a revised plan.

Findings of the Board:

- The proposed plan entitled "Sewage Disposal Plan, 217 Heald Road, prepared for Metcalf, designed by Stamski & McNary, revised 11/9/07" with the changes requested above will replace an existing failed soil absorption system and be an improvement to the environment
- The reduction in minimum setback distances between the septic tank and pump chamber are appropriate for the Board to grant since the proposed design includes alternative treatment with the Presby-Enviro Leaching System.

It was moved (Cahill) and seconded (Risso) to grant the following waivers from the Carlisle Supplementary Sewage Disposal Regulations: 15.211 Minimum Setback Distances for septic tank and pump chamber from bordering vegetated wetlands, 66' and 68' provided respectively, 100' required and to approve the proposed plan with changes noted above. Motion passed 4:0.

Since the applicant's engineer has agreed to make the required changes on a revised plan, the Board agreed to close the hearing.

It was moved (Diegnan) and seconded (Risso) to close the public hearing. Motion passed 4:0.

**FERN'S COUNTRY STORE** – Annual Food Establishment Permit. Present for the meeting was Larry Bearfield, manager.

The Board reviewed the reinspection results of 11/26/07. All items had been addressed. The Board considered the items to be of a minor nature. Brem asked about the work and temperature logs. Bearfield provided the records on both. Typically they would be checked by the inspector. Bearfield said he has a contractor who works on the refrigeration units whenever there is a problem. The Board asked how he dealt with the flies. Bearfield said it is mainly removal and a constant task, but they manage to stay ahead of the problem. Many establishments had problems during the warm weather.

Brem noted that the Board had been copied on a letter dated 11/30/07 from Bearfield to the Selectmen. The Board had not had a chance to review the letter and he suggested Board members look it over for a later time. Bearfield said the point of the letter was to address the Plumbing Inspector's reversal of a determination made last May relative to requiring a public restroom. The Plumbing Inspector now states that the new store requires a public restroom. In addition, a state investigator has been brought in following an anonymous complaint. This has caused a delay in the permitting process. The only recourse would be to file for a variance from Plumbing Code from the Board of Examiners, but Bearfield does not think this would be successful. If a restroom is required, it will mean reclassifying the well as a public water supply. Given the limitations of the site, this may not be possible.

Brem said that if the Board could be of assistance, it would do so. The Board would be interested in understanding the Plumbing Inspector's decision. Bearfield said he would be grateful for any support. If he is not able to obtain the necessary permits, he may be forced to sell the property. Brem said that would be unfortunate. Not only is Fern's the only store in town, but it sponsors many town events. Cahill asked about tying into the school's treatment plant if a restroom is required. Bearfield is also looking into alternative technology. The Board agreed to invite the Plumbing Inspector to a future meeting. Bearfield asked how

long he needed to retain the logs. The Board suggested 24 months since it is an annual license. This will provide a suitable history of activity if needed. There was no further discussion.

It was moved (Cahill) and seconded (Risso) to issue a one year Food Establishment Permit to Fern's Country Store. Motion passed 4:0.

**41 POPE ROAD** – new construction. Present for the meeting was site manager Anthony Pisiello.

The property is unique in that it lies in three towns – Carlisle, Concord and Acton. The soil absorption system is in Carlisle. The field was installed earlier in the year. The tanks needed to be relocated due to ledge. This caused a delay in the installation and the owner would like permission to install the sewer line to the house even though it is past the winter cut off. The Board did not see a problem with installing the line. Since a plan was not submitted showing the new location and elevation of the tanks, the Board wants to be certain that the line to the house is installed at the correct elevation and with the correct pitch. The engineer needs to measure the elevations at each end of the line to make certain it has the proper slope from the foundation. Frado must inspect the line before it is backfilled. Unnecessary bends should be eliminated. Fantasia noted that an ejector pump is proposed to handle flows from a basement level bathroom. Title 5 limits ejector pumps to 25% of the flows. Frado will need to verify the pump specifications and flows. Fantasia also noted that when the tanks were moved the well had to be relocated. A permit was issued from the Town of Concord but the well is actually located in Acton. A copy of the Acton permit is required.

It was moved (Cahill) and seconded (Risso) to extend the installation deadline for the sewer line to 12/14/07 conditional upon an inspection and approval prior to backfill by Rob Frado and an as-built of the new tank location and elevation.

**81 CRAIGIE CIRCLE** – request for waiver for well location 22' from property line, 25' required.

The Board considered a request from Stamski & McNary dated 10/18/07 to approve the location of a new well 22' from the property line. The minimum setback distance under local regulations is 25'. According to the letter, the engineer had staked the location. They did not know why the well was installed at another location but were asking for relief on behalf of the owners. Fantasia had checked with Ralph Metivier who was trying to contact the well driller Northeast Water Wells.

The Board agreed that the property owner is legally responsible for making sure the property is in compliance. A septic plan was approved showing a well location in full compliance. This well was not installed; therefore a new permit is required from the driller at which time the Board will consider the request for a waiver.

It was moved (Risso) and seconded (Deignan) to require a new well permit for the installed well at 81 Craigie Circle along with the appropriate fee. Motion passed 4:0.

**26 WESTFORD STREET** – replacement of a failed soil absorption system. Present for the discussion was David Schofield, engineer, and Alan Merry, owner.

At the 11/13/07 meeting the Board approved the design conditional upon submittal of a revised plan increasing the distance between the leaching area and well to 90' and adding a swale along the easterly side property line. The Board had agreed to hold a special meeting for final approval in order to expedite the installation before winter and because the system was experiencing breakout close to wetlands. A partial plan (8 ½ x 11) was submitted 12/7/07 locating the leaching area 35'6" from wetlands and 90' from the well. A drainage system was included. Frado had not had an opportunity to check the partial plan but noted that it would not be sufficient for construction purposes.

The Board expressed its disappointment at the delay and advised the owner and engineer that it would consider issuing an enforcement order for the system replacement. A draft letter dated 12/11/07 was prepared. Schofield said the revised plan was more complicated than expected. The elevation of the new

leaching area may allow for a gravity fed system but he needs to check the interior plumbing to see if this will work.

The Board noted that the partial plan did not address a number of the technical deficiencies noted in the TCG review of 11/12/07. The Board went through the list of what has been done and what still needs to be addressed such as verifying the slopes of the lines, the spacing for the Presby Enviro System, and providing a scaled profile. The owner has recorded a garbage grinder deed restriction but the variance needs to be noted on the plan. The Board agreed that all of the items need to be addressed.

The Board then considered whether additional offset from wetlands could be obtained if the spacing between the lines in the leaching area was compressed. It may be possible to eliminate one line. The revised plan locates the leaching area 35' from wetlands. Grading will be up to 20' from wetlands. It was suggested that rather than increasing the distance to wetlands, additional distance could be provided to the well. The Board calculated that compressing the leaching area, if allowed, would provide approximately 99' separation to the well (100') required. Schofield agreed to consider the changes. He is scheduled to meet with Conservation on 11/13/07.

The Board remained concerned about the existing failed system. According to Merry there is a 750 gallon septic tank which was installed in 1944. A line from the tank had collapsed and the distribution box was replaced a few years ago. Schofield said there was breakout at one time near the wetland. Merry said they are conserving water usage. The Board agreed that the system is having flow and breakout problems. Merry said he has an installer under contract as soon as the plan is approved. It has been his intention to replace the system as soon as possible. Testing was done in June and he fully expected the system to be in by now. The Board agreed that since a Presby System does not require fill, only sand, frozen material should not be a problem during a winter installation. The Board agreed to sign the draft letter requiring the immediate replacement of the failed system according to the following timetable table: five copies of the revised plan must be submitted by 2/10/08; work must start by 3/5/08; a certificate of compliance must issue by 4/15/08. The Board explained that these were outside dates and expects that each action will occur much sooner. The design requires state review; a copy of the Board's letter should be sent with the application. Conservation will be copied.

**CARLISLE SUPPLEMENTARY SEWAGE DISPOSAL REGULATIONS** – proposed revisions. Brem read comments from Holland which will be forwarded to the members. He would like the Board to be prepared to make a final decision on the revisions at the next meeting. He suggested adding an assessment of fines for violations to the regulations.

**FOOD ESTABLISHMENT PERMITS** – Brem signed permits for the school, First Religious Society, and Congregational Church; St. Irene's is pending an inspection.

**BILLS** – It was moved (Risso) and seconded (Cahill) to approve the bills as presented. Motion passed 4:0.

There was no further business. Meeting voted to adjourn at 10:00 pm.

Respectfully submitted,

Linda Fantasia  
Recorder