

Minutes of the Carlisle Board of Health
May 22, 2007
Approved June 19, 2007

Present: Board Members Martha Bedrosian (Chairman), Michael Holland, Bill Risso, Jeffrey Brem; Leslie Cahill; Chris Deignan; also present: Linda Fantasia (Agent); Rob Frado (TCG), Bob Zielinski Carlisle Mosquito

BOARD ORGANIZATION – the Board welcomed new Board member Chris Deignan who replaced outgoing Chairman Martha Bedrosian. Brem suggested formalizing positions for Chairman, Vice-Chairman, and Clerk/Treasurer in order to spread out the responsibilities. Bedrosian was the chairman for a number of years and handled much of the “between” meeting responsibilities for the Board. The Vice-Chairman prepares to succeed the Chairman. The Clerk/Treasurer would work on budget. Brem asked if anyone were interested in being chairman. Holland said he would prefer to continue providing engineering expertise and rather than leadership. Risso said he would like to continue concentrating on Emergency Preparedness, Budget and general assistance. Cahill was concerned about her travel schedule which might prevent attending all meetings if she were chairman. She would be willing to assist the Chairman. Brem said he would be willing to be Chairman, but would not be inclined to act as Clerk. Deignan agreed with spreading out the responsibilities but as the newest member, he would prefer not to hold an office at this time.

The following slate of officers was nominated (Holland), seconded (Deignan) and unanimously voted: Chairman – Jeff Brem; Vice-Chairman – Leslie Cahill; Clerk/Treasurer – Bill Risso.

Brem then proceeded to call the meeting to order at 7:50 p.m.

BEDROSIAN LETTER – Brem suggested that the Board send a letter of appreciation to Bedrosian for her years of service on the Board. Brem would like each member to sign the letter. He will work on a draft.

BOARD GOALS – next meeting. Possible ideas: finish working on local septic and well regulations; getting additional hours for the assistant; improving communication with other boards.

MHOA ANNUAL CONFERENCE – Linda and Mary will attend. There is grant money available. Fantasia and Risso will attend a GIS training course offered by MAPC GIS.

PH 62 LOWELL ROAD – Replacement of a failed Soil Absorption System. Waivers requested: 15.102(b) One percolation test required in repair leaching area – the use of previous perc test data is proposed. 15.405(1)(b) reduction of system location setbacks from crawl space – 3.0’ provided, 10.0’ required; 15.405(1)(g) – reduction of system locations setbacks from private water supply wells, 73’ provided, 100’ required.

The public hearing was opened. Neither the applicant nor design engineer was present. Abutter Bob Hilton, 70 Lowell Road, was present.

The Board asked Frado about the site. The design includes a Cultec I/A system to reduce the size of the treatment area. The site is very limited. The system is being replaced in the same location as the failed system. Frado is confident that the soils are consistent with previous testing. It was not possible to do all of the required testing. A waiver has been requested. The existing system is in failure. The liquid level in the d-box was above the outlets. The design is based on a 7 mpi percolation rate. Design capacity is for 330 GPD for a three-bedroom house.

Hilton asked whether the system would be higher out of the ground than the existing one? There were drainage problems onto his lot from the existing system which were corrected. Frado said the height would be the same. Hilton asked whether any trees would be lost. It was unclear from the plan. The Board said

any tree within 5.0' of the trenches would have to be removed. Hilton also questioned the room count. He thought a previous zoning variance allowed an addition. The Board suggested checking with the Building Inspector. There were no further questions.

It was moved (Holland), seconded (Cahill) and unanimously voted to close the public hearing.

It was moved (Holland), seconded (Deignan) and unanimously voted to approve plan entitled: "Sewage System Design, 62 Lowell Street, Map 22, Parcel 41, Klein, designed by R. Wilson & Assoc. dated 3/23/07" and grant the following waivers: 15.405(1) Local upgrade Approval – Reduction in system setbacks for Leaching field to crawl space 7.1' provided, 10.0' required; and Leaching Field to well 76.4' provided, 100' required; and from the Town of Carlisle Supplementary Sewage Disposal Regulations – Subpart B 15.102 Use of previous percolation test data in leaching area; one deep hole provided, two required and that the Board further recommends saving nearby trees if possible.

BILLS - It was moved (Risso), seconded (Holland) and unanimously voted to approve the bills as presented.

DPH INTERN - The Board met with Mary Kate Martelon a summer intern. Martelon is working towards her Masters in Public Health at Boston University. She can work 15 hrs per week starting 6/5/07. She is particularly interested local public health issues and policies. The Board suggested working with the Selectmen on establishing emergency neighborhood networks. Cahill offered to supervise. A mid-term evaluation is required. Martelon will prepare a project abstract. The Board thanked Martelon for her interest and welcomed her to the health department. The Board is willing to cover mileage and other minor expenses. This is a for-credit internship so there is no compensation.

345 RUSSELL STREET – Emergency Permit. Gabrielle Dockterman submitted an application for a second 10-Day Emergency Permit to install water flow devices in a beaver dam which is causing flooding onto her property close to her well. Dockterman had hired Beaver Solutions to install water flow devices in the fall. The outcome was less than expected and they are proposing to add two more devices. An application is before the Conservation Commission for the work.

It was moved (Cahill), seconded (Risso) to issue a second 10-Day Emergency permit for the installation of water flow devices in a beaver dam which is causing flooding onto the property at 345 Russell Street.

75 WEST STREET – LOTS A2 and A3. Present for the discussion was Rich Harrington of Stamski & McNary.

At the last meeting the Board rejected the two septic designs for the following reasons: A2 - no evidence was presented that the existing system which will serve a new house and which was installed in 1992 to replace a failed system, meets the current requirements of Title 5 for new construction; A3 – a new system is being proposed to serve the existing house but no evidence was presented that this is a legal lot.

Harrington argued that the existing system was issued a Certificate of Compliance so the system complies with Title 5 (15.002); as defined in the 1995 Code (15.002) the system is not new construction since there is no increase in flows above the approved capacity; the system serves a facility either existing or future located on real property under the same owner (15.002); the site is limited due to ledge as verified in a number of test pits showing refusal; there is no change in use since a four bedroom house will replace the current four bedroom dwelling being served; the request is similar to other tear downs using an existing system without requiring upgrades; if the house were being demolished, the existing system could be used to serve a new house. The Reichenbach family bought the lot two years ago. The Certificate of Compliance was still current so a Title 5 was not required. They would be willing to do a Title 5 Inspection. The house is currently vacant. At this time the owners do not want to remove the existing house, although it may be renovated or demolished later.

Holland asked if the existing system required waivers. Harrington said the leaching area and septic tank are approximately 90' from wetlands, rather than the required 100'. Local regulations do not address tear downs so there is guidance in the reuse of a system. The existing system does meet current Title 5 requirements.

Brem asked how the application was classified. The system already exists so it is not a new installation. Neither is it a replacement of a failed system, nor repair of a single component. Harrington said it is not unusual to replace and relocate an existing septic tank when adding on to a house. This is a similar proposal. The Board said that adding on to a house is not the same as creating a new lot. The new lot changes everything. Waivers were granted for the existing system in order to replace a failed system. This system is being proposed to serve a new house on a new lot. This is more for convenience than need. The application should correctly be classified as new construction requiring a local waiver. The facility includes all components so changing a tank and sewer line impact the facility. Frado noted that the proposed reserve area is only 50' from wetlands. Harrington said this could be relocated.

The Board held its position that the creation of a new lot changes the status of the existing system. Variances which were granted for the purpose of replacing a failed system are now being used to support new construction. The intent of the waivers was to provide relief to an existing household. They are now being used to support new construction and the creation of a new lot. The applicant has the option of applying for the required waivers for the new house. The second system may comply with Title 5 but the lot has not been legally created. Brem noted that the Board is reviewing possible changes to its local regulations which could benefit the two lots. Harrington thanked the Board for their input.

FERNS COUNTRY STORE – Permit to Operate a Food Establishment. Present for the discussion was Larry Bearfield.

The Board of Health had issued a six month permit which expires 6/30/07. All items from the February inspection were successfully addressed in March. The septic tank was pumped on 5/16/07 and Frado was present. No problems were noted. Frado also inspected the grease trap under the sink. It was only partially full and due to be cleaned. The d-box looked better than last year. There is not much grease going into the system. The well was tested on 5/20/07. Coliform was present and the well has been chlorinated. Bearfield will retest in three weeks and report to the Board. Bacteria was also present last year. A subsurface well cap was thought to be the cause. The well head was replaced last spring. Bearfield took the samples using bottles supplied by Thorstensen Labs. Fantasia noted that a PWS requires monthly testing for coliform and more frequently if there is a problem. There is no filtration or sediment filter on the system. VOC's must be retested next year. Bearfield asked about the low pH and high chloride. He suggested asking DPW to use less chloride in the center. Fantasia noted that many center wells were impacted with sodium and chloride due to an old salt stockpile which leached into the water table. The town has discontinued using sodium in the center for de-icing, and now uses a mixture of calcium chloride. The levels of sodium have been dropping, but chloride is on the increase. Bearfield said only bottled water is used for washing and food preparation. Brem suggested monthly testing for bacteria might help Fern's permit request before DEP. Risso preferred to wait for the retest. If it remains high, then the Board could require more frequent monitoring. Cahill was concerned that the levels may fluctuate and not be true readings. Bearfield offered to retest in three weeks once the chlorine residue is gone. He will submit the report to the Board for the June meeting. The Board was satisfied that there were no other ongoing problems at the store.

It was moved (Holland), seconded (Risso) and unanimously voted to issue a six month Permit to Operate a Food Establishment to Ferns' Country Store for the period 7/1/07 through 12/31/07.

CENTER PARK – Two old monitoring wells were uncovered during the landscaping preparation. One well was installed by ENSR during the Police Station assessment. Chris Mariano of ENSR said it was not an important well and could be abandoned. A second well of unknown origin was also uncovered. Both wells will be sealed and abandoned. DPW will do the work. Metivier will witness the decommissioning.

EVALUATIONS – Risso and Cahill will prepare Fantasia's annual evaluation. Fantasia has already done one for the Administrative Assistant.

48 BINGHAM ROAD – a group of neighbors wrote a letter of complaint to the Selectmen about the condition of the property at 48 Bingham. None of the issues are public health except for an intermittent septic odor. Fantasia has spoken with the landlord and the tank is being pumped. If there are problems he will have a Title 5 Inspection done. There is no Board of Health action to be taken at this time.

136 SUNSET ROAD – the Board was copied on a letter of complaint to the Selectmen about commercial trucks being parked on the property. No action is required by the Board of Health.

HAZARDOUS WASTE COLLECTION – held on 4/28/07; cost \$5564.00; 160 cars attended. The Board would like to see the manifest for items collected.

ONE DAY TEMPORARY FOOD PERMITS – It was moved (Brem), seconded (Risso) and unanimously voted to issue a One Day Temporary Food Permit to the First Religious Society for the Strawberry Festival on 6/21/07. It was moved (Brem), seconded (Risso) and unanimously voted to issue a One Day Temporary Food Permit to the First Religious Society for the Memorial Day Lunch on May 28, 2007.

SERVSAFE CLASS – Fantasia and deAlderete will attend the class which is being held on 5/24 and 5/25 at town hall. The class is being offered to non-profit organizations for the volunteers at a discount.

There was no further business discussed. Meeting voted to adjourn at 9:45 p.m.

Respectfully submitted,

Linda Fantasia
Recorder