

**Minutes of the Carlisle Board of Health
April 22, 2008**

Present: Board Members Jeffrey Brem (Chairman), Bill Risso, Leslie Cahill, Chris Deignan(absent), Michael Holland (late); Rob Frado (TCG); Linda Fantasia (Agent),

The meeting was called to order at 7:30 p.m. at the town hall.

MINUTES – March 25, 2008 and April 8, 2008 were revised. They will be approved at the next meeting.

COMMUNITY SEPTIC LOAN PROGRAM (CSLP) – The Board approved the Expression of Interest, which will be submitted to the Selectmen for signatures. The Board then reviewed the draft guidance. Risso had some suggestions on the priority scoring. The Board agreed to prioritize as follows: (1) lots in Zone A, I/A systems less than 100' to private wells, (2) legal non-conforming (less than two acres) lots anywhere in town, (3) all other failed systems (4) application date. If applications have the same date the Board will choose based on best use of the funds to protect the public health. There will be no low-income advantage. DEP has a \$150,000 cap, which the Board will keep as a guideline. This cap can be exceeded depending on the need and available funds. The Board agreed that if there are too many applications and the funds are used up, the town could ask for more money. Brem suggested including a statement encouraging alternative technology. The Board would like to obtain the \$20,000 start up fund as soon as possible. (Holland arrives)

PH 74 SCHOOL STREET- replacement of failed soil absorption system. Waivers requested 15.211 Distances septic tank and pump chamber to well, 100' required, 75' provided; 15.211 General Construction Requirements – system not designed for garbage grinder, Soil Analysis in lieu of percolation test in accordance with DEP Policy #BRP/DWM/PeP-P00-1

It was moved (Risso) and seconded (Cahill) to open the public hearing. Motion passed 4-0-0. Mark Zella (GPR) and Phil Lotane (owner) were present. Zella submitted the abutter notification cards.

Zella explained that the property is only .8 acres. The existing four bedroom SAS is in failure. Testing to the rear of the lot met refusal at 3.0' Testing was successful closer to the house. The well is in front of the house. They were not able to conduct a percolation test because of groundwater weeping into the test hole. A sieve analysis was performed to determine the long term acceptance rate (LTAR). The soils were uncompacted. Frado observed and agreed with the results. The proposed design is for a four-bedroom 440 GPD Presby System, which allows for a 40% reduction in footprint. Brem asked about the loading rate. Zella said they used .33 LTAR, which is the equivalent of 30 mpi.

Zella submitted a revised plan and comments on how they addressed the items noted in the initial engineering review dated 4/15/08. The local waivers were added to the plan. The plan still shows a single compartment tank. Frado explained that the dosing chamber does not count as a second tank. Zella agreed to revise the plan and resubmit. He also noted that the wetland line was updated. The system is not designed for a garbage grinder. A deed restriction will be recorded. Holland asked if there was a reduction in separation to groundwater. Zella said this would require DEP review, which they wanted to avoid. Brem noted that the system is a parallel configuration. The Board prefers serial distribution. Zella said there are two outlets from the distribution box. The Board briefly discussed the possibility of the soils being very silty which would result in a higher percolation rate. Frado said he was comfortable with the findings. Brem asked if the PE who stamped the plan was a certified Presby designer. Zella was not sure but did not think this was a problem. Designs are typically prepared by staff and signed off by the company's P.E. The design is stamped by Douglas Miller, P.E. their chief engineer. This is common practice in the industry.

The Board asked if there were questions from the public, but there were none.

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

Following a brief deliberation, the Board made the following findings:

- The design is submitted under the 1998 local regulations;
- The system is not design for a garbage grinder and requires a deed restriction;
- A revised plan addressing the items noted above must be submitted and approved by Frado
- Full compliance would be manifestly unjust and equal protection has been provided.

It was moved (Cahill) and seconded (Risso) under Local Upgrade Approval 310 CMR 15.405(1)(i) to accept the sieve analysis perform in accordance with DEP Policy BRP/DWM/PiP-P00-1 for a Long Term Acceptance Rate t .33 in uncompacted soils in lieu of percolation testing in accordance with plan entitled “Subsurface Sewage Disposal Upgrade 74 School Street, owned by Lotane, designed by GRP Engineering, revised 4/22/08”. Motion passed 4-0-0.

It was moved (Risso) and seconded (Cahill) to grant a waiver from the Carlisle Supplementary Sewage Disposal Regulations under 15.211 Distances for tank and pump chamber less than 100’ from a private well, 85’ and 75’ provided respectively in accordance with plan entitled “Subsurface Sewage Disposal Upgrade 74 School Street, owned by Lotane, designed by GRP Engineering, revised 4/22/08”. Motion passed 4-0-0.

It was moved (Risso) and seconded (Cahill) to grant a waiver in accordance with plan entitled “Subsurface Sewage Disposal Upgrade 74 School Street, owned by Lotane, designed by GRP Engineering, revised 4/22/08” from the Carlisle Supplementary Sewage Disposal Regulations under Sec 15.221 General Construction Requirements for a system not designed for a garbage grinder allowance (660 GPD required, 440GPD) provided conditional upon recording of a deed restriction. Motion passed 4-0-0.

103 MEADOWBROOK ROAD – construction of barn/living space. Aaron Barth, resident, appeared before the Board.

Barth explained that the detached barn was built to accommodate a woodworking shop, office and showroom. As part of his divorce agreement, he is allowed to live in the barn. His ex-wife is living in the main house. Work on the barn is continuing and he does not have final sign-offs from the building department. His former wife wants to remodel a finished room in the basement of the main house. In order to proceed with the building permit application, the occupancy status of the barn needs to be addressed. Issues to be resolved by the Board of Health include a sewer tie-in without a permit, a new water line without a permit, and creation of a living space without verifying septic capacity. According to records on file with the Board, Barth raised the question of building a work shop in the barn in 2004. He was advised to check with an engineer to verify septic capacity. He did not return to the Board and the file was closed out. According to the Building Department the only permit issued was for an unfinished barn. Barth explained that the initial plans changed from necessities for the workshop slop sink to installation of a shower for the living space. He would like to bring the property into compliance.

The Board noted that with the revised local regulations Barth might be able to utilize the garbage grinder allowance of the newer system to serve the barn. Whether the barn can be used as a residence is a bigger question. Barth needs to confer with the Building Commissioner. It may not be possible to create a legal apartment on the property. An accessory apartment must be attached to the main house. The barn is approximately 75’ away from the house.

Boards of Health issues involve verifying capacity and lack of inspection for the work. Barth assured the Board that the work was done properly. He provided pictures of the sewer line being installed. The Board agreed that it would need an engineered as-built of the tie-in and floor plans of both the main and accessory structures. The Board has a question as to whether the finished basement room in the main house was counted during the 2004 review. This could be another problem.

The Board then discussed various options which include requesting a waiver to use the garbage grinder allowance for additional capacity which requires a deed restriction and looking into expanding the system. The Board cannot help with the zoning issues, and emphasized the importance of looking into this first. Once all of the relevant information is collected, the Board would consider any proposals or waivers at a

public hearing. Barth said he is mainly interested in bringing the property into compliance. He thanked the Board for their assistance.

WEST STREET – Cahill asked whether the Board had authority to address public safety concerns about the condition of West Street. She had a narrow escape involving a bicycle and two cars recently. The roadway is hazardous. The Board agreed that this area of public safety falls within the jurisdiction of the DPW and Selectmen. Surface conditions and signage are not within the public health purview.

HAZARDOUS MATERIALS MANAGEMENT – Fantasia inspected the collection system at the office of local dentist Andrea Richman. Dentists now use suction rather than rinsing during dental procedures. Metals and hazardous materials are collected in the self-contained system. She has a contract with an approved disposal company.

UPCOMING DATES – MRC Executive Meeting 4/28/08 and Hazardous Waste Collection 5/3/08

MHOA ANNUAL CONFERENCE – The Board has \$2000 in grant funding to spend on training. Fantasia asked if she and Caywood could attend the annual conference in Springfield. There would still be remaining funds if Board members are interested. The Board agreed that Fantasia and Caywood should attend. No other members are available.

BILLS – It was moved (Risso) and seconded (Cahill) to approve the bills as presented including attendance by Fantasia and Caywood at the MHOA Conference to be paid from grant funding. Motion passed 4-0-0.

Meeting voted to adjourn at 9:40 pm

Respectfully submitted,

Linda Fantasia
Recorder