

**Minutes of the Carlisle Board of Health
August 19, 2008**

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

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

ADMINISTRATIVE REPORTS

CLEAN WATER SRF – the Board intends to apply for funds to tie the library and possibly Carlisle Elderly Village into the school WWTP. This plant is underutilized and would benefit from regular flows. Fantasia had spoken with Don St. Marie who explained the process. The first step is to file a Project Evaluation Form (PEF). St. Marie said the proposed project had merit, but thought the two-week turn around for the PEF, which includes project costs and schedules, was tight. The preliminary application is due 8/29/08. Funds from the community loan program cannot be used for the design. Brem asked that the subcommittee meet to prepare the application. A meeting was posted for 8/21/08 at 7:45 pm.

LOT B-2 268 FISKE STREET - new lot lines. John Ballantine, owner, met with the Board. Ballantine explained that the only change to the previously approved plan involved lot lines. The lines were changed in order to keep a relocated force main on the same lot as the disposal facility. The Conservation Commission asked to keep the force main in the original location. Since there are now no changes being made to the system, Ballantine questioned the need for a Board of Health engineering review. The Board agreed that it was not necessary. The Board does require the submittal of an As-Built showing accurate lot lines.

BILLS – It was moved (Risso) and seconded (Cahill) to approve the bills as presented.

MINUTES – It was moved (Risso) and seconded (Deignan) to approve the minutes of 6/10/08.

PH 400 RUTLAND STREET –replacement of failed SAS. Waiver requested: 15.211 – Minimum Setback Distance - leaching area to wetlands, 100' required, 56' provided. The hearing was opened. Present for the meeting was Jeff Hannaford for Norse Engineering Services and Martha Howe for the applicant. Abutter notification cards were submitted.

Hannaford submitted a revised plan addressing the deficiencies noted in the 7/29/08 review from Technical Consulting Group. The proposed design is intended to replace a failed soil absorption system. The design requires a local waiver for leaching area setback to wetlands due to limited area available outside the buffer zone and well radius. (Holland arrives). Hannaford surmised that siting the original system must have been challenging. Fill was placed from the house to the septic location to accommodate a gravity fed system. As a result, there was little cover over the system. Testing was done in the front and rear of the property. Ledge was encountered in the rear at 18" with less than 42" of parent material. The location in the front had better testing but provided less than 100' to wetlands. The proposed design includes a Presby-Enviro Septic Leaching Field, which provides for a smaller footprint. The design meets Title 5 wetland setback of 50' but not local setback of 100'. According to Hannaford, there is no area on the lot that would be 100' from wetlands with adequate depth of material. The Conservation Commission has issued an Order of Conditions based on the limitations at the site. The Order provides for a temporary access roadway to limit disturbance in the buffer zone.

The Board asked whether a title 5 inspection was done. Fantasia reported that the Board's consultant has the property file and revised plan for review. Brem noted that in order for the Board to grant a local waiver under 15.211 of the local regulation the applicant must show environmental benefit, alternative technology, site limitations.

Hannaford said that the proposed system is a pump design, which provides increase separation to groundwater as an environmental benefit. The tank will be fitted with an effluent tee filter to improve

operation. Although the Presby System does not reduce nitrogen, it does provide additional treatment. Other I/A systems were considered, but the overall benefits were negligible compared to the Presby. The topography of the lot is limited due to two areas of isolated land subject to flooding (ILSF) which although not jurisdictional are indicative of ponding. The additional testing done also confirmed the existence of ledge and a high water table. The proposed location is the best suited. There are no areas on the lot, which meet the 100' setback to wetlands. The Order of Conditions stipulates that the area over the system cannot be planted as lawn and there can be no application of fertilizers. There is evidence of a vernal pool at the site, but it is not certified.

The Board agreed that the burden of proof is on the applicant to justify the requested waiver as stated in 15.211 of the local regulation. The Board did not feel that the request for the waiver met this standard. The Board recommended that the design engineer provide a narrative spelling out the environmental benefits including two tanks, alternative technology, pump system and effluent filter along with additional soil information and proof of a failed system. The testing results for alternative locations should be submitted and reasons why they were eliminated.

The Board also noted that the lot was part of a recent subdivision and lot lines were changed. The Board debated whether the lot should now be considered new construction. Hannaford argued that the existing system had failed. Title 5 defines new construction as an increase in flows, which is not the case. The Board was unable to compare the design flow to the floor plan without the property file. Brem felt it was important for the Board to know whether the change in lot lines as a result of the subdivision limited the areas available for a replacement system. Specifically he asked whether the original lot configuration would have provided a location that was 100' from wetlands. When the Board approved the subdivision plan for Chestnut Estates, it was unaware that 400 Rutland would need to replace the septic system. Not having this information limited the choices made by the Board. The Board also asked about a culvert under the roadway. Depending on the direction of the water flow, it might affect the wetland near the system.

The Board agreed that it needs more information in order for the record to be complete including: a narrative addressing the environmental benefit of the pump system, I/A system, two tanks with filter; an Order of Conditions; a construction sequence; floor plan to verify design flows; direction of water flows to the culvert under the roadway; purpose of the subsurface drain exiting from the house..

The Board made the following finding:

- Applicant will provide a narrative supporting the granting of a waiver under 15.211, which addresses the items noted above.
- Conditions of approval will include review and approval of the revised plan by the Board's consultant and water flow direction for the two culverts shown on the plan.

It was moved (Risso) and seconded (Cahill) to grant a waiver in accordance with 15.211 Town of Carlisle Supplementary Sewage Disposal Regulations for 400 Rutland Street with conditions noted above. Motion passed 5-0-0.

BOARD OF HEALTH POLICIES – Brem asked that the Board's consultant prepare a checklist for requesting waivers under 15.211. Information required will include a written narrative justifying the waiver requested and documentation on alternatives explored.

FERN'S COUNTRY STORE – Site Plan Review. Present for the discussion was Larry Bearfield, property manager.

The Board was in receipt of a request from the Planning Board to comment on the site plan. The Board had provided preliminary comments following a discussion in June. A septic tank relocation plan was approved on 7/22/08. The Board agreed that if there were no changes between the tank relocation plan and proposed site plan, its preliminary comments would be final. The Board will have its consultant check both plans.

Fantasia asked about the site plan review fee. Bearfield said he had already paid \$200 to have the tank relocation plan reviewed. The Board agreed that an additional fee was not needed. Formal comments are due the Selectmen by 9/9/08.

Bearfield said he would be submitting a kitchen plan. He intends to upgrade the existing equipment. He showed the Board a preliminary floor plan of the store, which included the middle addition, package store, and food service area. A new walk-in freezer will be located near the rear door. Bearfield is still considering security for the wine and beer store. A future seating area is not part of the present site plan. Since major changes are being made to the Food Establishment operation, the Board will need to review and approve the plan. A new permit must be issued. The plan must comply with the state Food Code and cover operations as well as the new facility. Bearfield said he is aware of the Food Code requirements and is working with a kitchen designer. As part of the new establishment, there may be changes to the menu, including pizza. Only take out service is planned. There will be no table service. The public restroom issue has not been resolved, but Bearfield is looking into a unisex Clivus composting toilet. The matter of a hand-washing sink has not been resolved. Bearfield is considering sanitary wipes for the public and possibly a locked hand-washing sink for employees. If a sink is provided for the public, the well must be reclassified as a public water supply, which would require septic system compliance. This is not possible on the site. There will be a new employee bathroom in the basement. This will require an ejector pump and Board of Health approval.

The Board asked about the timetable. Bearfield said they plan a phased construction. He would like to have the package store open for the holidays since 40% of its business occurs during the holiday season.

Bearfield asked how the Board felt about sanitary wipes. He provided literature on their use. He asked if the Board would provide a recommendation, which might help in obtaining other permits. Cahill did not want to overstep the Board's jurisdiction, nor did she feel knowledgeable enough to make a recommendation. The Board agreed it did not want to make a recommendation prematurely. The Board agreed to consider the request at a later time. Deignan said Bearfield is looking for a vote of confidence from the Board to take to the Building and Plumbing Inspectors.

ANNUAL GOALS – The Board agreed that the 2007 goals were very aggressive, although many were met. They would like to limit this year's goals. Already under consideration would be the septic loan program, municipal sewer project, and the Medical Reserve Corps. The Board would also like to provide guidance on its regulations and requests for waivers similar to how DEP require alternative analysis for wetland filings. Frado will be asked to prepare a form. The Board also will look at I/A systems and nitrogen reductions.

There was no further business discussed. Meeting voted to adjourn at 9:37p.m.

Respectfully submitted,

Linda Fantasia
Recorder