

**Minutes of the Carlisle Board of Health
September 9, 2008**

Present: Board Members Chris Deignan (Chairman pro tem), Bill Risso, and Michael Holland; Absent – Jeff Brem, Leslie Cahill; also present: Linda Fantasia (Agent), Rob Frado (TCG),

The meeting was called to order at 8:00 p.m. at the town hall.

PH 151 SUNSET ROAD –Waivers requested: reduction in required four-foot separation and reduction in separation to high groundwater for inlet and outlet tees in the septic tanks.

The public hearing was opened by the Board. Present for the hearing was Neil Gorman (David Ross Assoc), Margaret Woodruff and Robert Gladstone, owners.

Gorman explained that the design will replace a three-bedroom system keeping the same capacity. The location of the system is based on soil testing results, topography and well offsets. The initial testing in June found ledge at 28” along with high groundwater. It was too wet to do percolation tests. A second round of testing in the side yard had better results and avoids disturbance of existing landscape. The proposed design includes a polyethylene barrier to keep the grading within the property bounds. Two waiver are required under Local Upgrade Approval: 15.405(1) (h) and 15.405(1) (j).

The Board asked whether the existing system had failed. Gorman said they had not done a Title 5 but submitted a letter verifying the failure as observed at the site. The failure is based on the elevation of groundwater compared to the location of the distribution box indicating that the system must be in groundwater. Frado asked if grading would extend beyond the property even with the 3:1 slope. Gorman said it is right on the property line. Gorman also said a revised plan addressing the deficiencies noted in the 9/5/08 engineering review would be submitted. He did not see any problem complying.

Deignan asked if they had considered alternative technology. Gorman said they considered a Presby but there would be little benefit other than a slight reduction in size. This was also true of I/A systems that provide mechanical treatment, which require quarterly monitoring and maintenance contracts. He saw no significant benefit environmentally compared to the additional cost of installation and ongoing maintenance over a conventional Title 5 system.

The Board had no further questions and there were none from the audience. The Board agreed that the waivers are in keeping with the limitations of the site and the proposed design provides an equivalent amount of environmental protection.

It was moved (Holland) and seconded (Deignan) to close the public hearing.

It was moved (Holland) and seconded (Deignan) to approve Local Upgrade Approval Waivers in accordance with plan entitled: “Sewage Disposal System Upgrade, 151 Sunset Road, designed by David Ross Assoc., dated August 19, 2008” under 14.405(l)(h) for a reduction in the required separation of groundwater from four to three feet and 14.405(l)(j) for a reduction in the separation of inlet and outlet tees of the tanks and high groundwater conditional upon addressing items noted in the engineering review dated September 5, 2008. Motion passed 3-0-0.

51 STEARNS STREET – discussion on drainage issues. Present for the meeting was Nathan Brown, Esq. on behalf of the property owners.

The original design was approved three years ago and extended for one year. A redesign based on a Presby System was recently submitted. The plan was reviewed for conformance with local and state regulations. Abutters at 15 Stearns Street and 39 Stearns Street submitted a written request asking that the Board consider surface runoff. Drainage has been a problem at the end of Stearns Street and the abutters want to make sure the replacement SAS will not exacerbate the situation.

The Board reviewed the proposed design. The new system is located to the rear of 51 Stearns Street. The existing system is located in the front near the side lot line. Holland said he could not see how runoff would affect abutting properties. The location is farther away from neighboring houses than the existing system. Frado did not think the design would cause any problems. The abutters were not present. The Board agreed that it did not see any reason to be concerned about the system adding to drainage problems. No engineering deficiencies were noted in the review. The system is intended to replace a failed system and will benefit the environment.

It was moved (Deignan) and seconded (Risso) and unanimously voted to approved plan entitled "Subsurface Sewage Disposal System for 51 Stearns Street, designed by Stamski & McNary, revised 7/23/08". Motion passed 3-0-0. A letter will be sent to the abutters.

400 RUTLAND STREET – Title 5 Inspection Report. Present for the meeting was Martha Howe, Atty, and Richard Howe, applicant.

On 8/19/08 the Board approved a plan to replace an existing failed system which required a local waiver for leaching field setback to wetlands of 56'. As a condition of approval, the Board required proof that the system had failed and that there were no alternative locations.

Richard Howe explained that he is the Trustee for the John Raymond Brown Trust. When 400 Rutland Street was purchased they were under the assumption that the system was working. A Title 5 Inspection was not done nor required by their lending company. The following year the Chestnut Estates Subdivision was approved with a special permit for a Conservation Cluster. The development included the property at 400 Rutland Street. According to Howe, they provided an environmentally friendly design which incorporated many of the recommendations of the Conservation Commission, Planning Board and Board of Health. The 400 Rutland Street property was sold and the buyer required a Title 5 Inspection. The Inspector, Fred Perrault, found the system to be in failure, but did not complete an inspection report. Howe hired Norse Engineering Services to design a replacement system. The new owner is occupying the house. Money is being held in escrow for 90 days to replace the system. The new owners are experiencing problems with the system, creating an emergency situation.

According to Fantasia, the Inspector submitted a Title 5 Report, but certain items were missing such as measurements of liquid levels in the tank, incorrect date of inspection, and design flow information. The system failed due to an overloaded soil absorption system, causing backup into the facility and liquid level above the outlet in the distribution box. Holland said that if the form is corrected and completed, he would accept the report.

The Board was concerned that the property was part of a subdivision approved by the Board in March 2007. Lot lines were changed and the lot size of 400 Rutland Street was reduced. There was no indication that the system was not working. In order for the waiver granted to be valid, the Board needs proof that the system is in failure and there are no alternative locations. The Board wants to be certain that the applicant did not create his own hardship. Prior to the meeting Board Chairman Jeff Brem submitted a test location plan showing that it might have been possible to site a fully compliant system in an area now designated as Lot 2. This could be accomplished by amending the Special Permit for the Conservation Cluster and changing some lot lines. Howe objected to the new information since all of the permits are now in place. He also asked that the new information be excluded from consideration because of previous professional relationships he has had with Brem. Holland said that regardless of any claims of conflict, he is of the same opinion as Brem as it relates to the matter at hand. At this point however, Holland is convinced that the system at 400 Rutland Street is in failure and needs to be replaced. He would be willing to release the construction permit. Deignan asked for the paperwork to be completed and resubmitted.

It was moved (Holland) and seconded (Risso) to release the construction permit for 400 Rutland Street. Motion passed 3-0-0.

ADMINISTRATIVE REPORTS

BILLS – It was moved (Risso) and seconded (Holland) to approve the bills as presented. Motion passed 3-0-0.

MINUTES – next meeting.

FLU CLINIC – CDC is promoting public flu clinics. Additional vaccine will be available. Fantasia suggested looking into a local clinic using the Carlisle MRC for staffing. She will check with Emerson Home Care about obtaining vaccine and supplies.

There was no further business discussed. Meeting voted to adjourn at 9:00p.m.

Respectfully submitted,

Linda Fantasia
Recorder