

**Minutes of the Carlisle Board of Health
October 26, 2010**

Present: Board Members Jeff Brem Chair, Bill Risso, Mark Caddell; Cathy Galligan; also present: Linda Fantasia, Agent, Kathryn Kinzel (BUSPH), Vallabh Sarma, Elizabeth Nilson, M. D. and Cynthia Sorn (Carlisle Mosquito);

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

GENERAL BUSINESS - Brem asked the Board to prepare a letter of appreciation for former member Michael Holland who resigned his seat because of moving out of town. He also asked that to add the Town Sewer Project to the next agenda.

MINUTES – The Board reviewed and edited minutes of 9/28/10 and 10/12/10.

It was moved (Galligan) and seconded (Caddell) to approve the minutes of 9/28/10 as corrected. Motion passed 4-0-0. It was moved (Risso) and seconded (Caddell) to approve the minutes of 10/12/10 as edited. Motion passed 3-0-1 (Brem abstained since he was in a meeting with the Selectmen).

ADMINISTRATIVE REPORTS

Permit Extension Act - The law which went into effect on August 4, 2010 as part of the state's economic recovery act provides a two year extension to any zoning, environmental or development permit which was active during the tolling period of 8/15/08-8/15/10. It does not apply to federal or comprehensive B permits. The Board reviewed a summary of the new law. The extension affects four Cross Street (Greystone Development) lots that the Board recently considered due to a request to amend the conservation cluster special permit. Fantasia pointed out that new construction receives a three year permit with an automatic one year renewal. If an additional two years is applied, the permit life is six years. If the extension applies to Title 5 upgrades, an owner could have four years instead of two to upgrade the system unless the Board determined otherwise. The Board agreed that it may want to consider upgrades of failed systems on a case by case basis. Fantasia said the land use administrators would like clarification from town counsel. She and Caywood are sorting through active permits to see which ones qualify.

Region 4A – Fantasia was voted onto Executive Committee 10/14/10 as one of three North Subregional representatives for a term of 18 months; the next meeting 11/18/10. This year cell phone money will be distributed directly to each town. Fantasia recommended discontinuing the office cell phone which is only used on Wednesdays by Rob Frado. The Region will still pay for the Blackberry. Fantasia and Frado have worked out a plan for contacting him in the field. Unspent funds may be used for other emergency preparedness needs.

Agent Authorization – A list of authorizations will be sent to the Board for the next meeting.

HAM Antenna – The town would like to install a second HAM Radio antenna at the school which is also the public shelter. Fantasia sent a request to the School Committee which will be heard on 11/3/10. Risso is willing to attend.

Board of Health Vacancy– Elizabeth Nilson, M.D. and Vaballh Sarma, P.E. were present to discuss the vacancy. Dr. Nilson works in Internal Medicine at Lahey Clinic. She and her family recently moved to town. She is interested in preventive medicine and would like to be involved in local public health. This Mr. Sarma's second meeting although he has not officially applied. He is a retired electrical engineer, looking to do something for the town. Brem provided a brief summary of Board activities and members talked about their backgrounds. Mr. Sarma intends to submit a letter of application. The Board thanked both candidates and hoped that if not selected for Board of Health each would consider another volunteer position. The vacancy requires a joint vote of the Selectmen and Board of Health and would continue until the next annual election. It is hoped that the chosen candidate would then run to complete the term of Michael Holland.

CHESTNUT ESTATES –Lou Baldoumas, developer, met with the Board to discuss the ongoing use of a hoe ram. The town and land use boards had received complaints from abutters starting mid-summer. Baldoumas explained that the road work is almost finished. He has been sending weekly progress reports to the Building Inspector. He

only uses the hoe ram when necessary including the excavation for the fire cistern. There are two swales left and the electric trench. He expects it may be necessary to use the hoe ram sporadically over the next few weeks and possibly later as lots are developed. Galligan said abutters were concerned because of the length of time it was used last summer. The noise prevented them from using their yards and interfered with the quality of life inside their homes. Tom Natorio of DEP visited the site in August and agreed that weeks of hoe ramming would cause problems for neighbors. Baldoumas agreed that the hoe ram was used for an extensive period over the summer but this was due to a delay in obtaining a blasting permit because of a 1000' blast survey. He was forced to move ahead with his construction schedule using mechanical means. Baldoumas said other sites in town have used a hoe ram without complaints. The Board said that no new complaints had been received for awhile, but recently they were getting calls again. The Board reviewed the weekly construction schedules which have been submitted. Abutters can contact any land use department for a construction update. Fantasia said the abutters and developer are trying to be cooperative in a difficult situation. Good communication on the work progress has been helpful. The Board had asked about buffering the sound with equipment, but Fantasia explained that the work is along the perimeter of the property. It is not possible to park vehicles between the work area and property line or provide any other means of buffering the sound. Natorio had been asked about mufflers, but was unaware of any successful ones.

Risso asked about the lots. Baldoumas said once the roadway is completed, he will begin development on the lots. He will only use the hoe ram if it makes sense, for example ledge in a septic tank hole. He agreed that construction was problematic during the summer because of the delay in blasting. He had to use the hoe ram extensively for a wetland replication area along the property boundary. The replication area was in an area of extensive ledge. Caddell asked if he had any ideas on how to reduce the noise impact on neighbors. Baldoumas said no, other than completing the work as soon as possible.

Cynthia Sorn, an abutter, said the hoe ram was in constant use all July and very disturbing. She said it was operating between 7 am and 5 pm some days. Baldoumas disagreed. The hoe ram is only used between 8:30 am. and 4:30 pm. Sorn agreed that the hoe ram was being used less now and with closed windows the noise is more tolerable. She hears the blast horn but there is very little disturbance during the blasting. She prefers blasting. The Board said it is encouraging the developer to blast whenever possible. Sorn asked who required the blast survey. Baldoumas said it was in the Planning Board's special permit. The permit was obtained by the original developer. He only became aware of it in June when he purchased the property. It costs \$6000 a week to keep the hoe ram onsite. He would prefer to blast, but sometimes it is not feasible. Brem agreed that blasting is quicker and cheaper. He said it appears that there has been good communication between the site and the town. The Board was uncertain why a 1000' blast survey was required. Blasting dissipates quickly as you move farther from the blast site. Baldoumas said the state only requires 250'. This is the only project where the town required a 1000' survey. Galligan suggested alerting the Planning Board that a large area survey is not necessary since the blast energy dissipates fairly rapidly. There is no real benefit to an extended survey area. Brem said this is an example of an issue that should be discussed at Land Use chairmen's meeting.

The Board thanked Baldoumas for meeting with them and stressed the need for Baldoumas to lessen the impacts of the construction work on the neighborhood. The Board hopes that both abutters and developer will continue to work out the problems resulting from a very difficult situation.

DISCUSSION ITEMS

Selectmen's Goals – Brem reported on the recent meeting of board chairs with the Selectmen. The Selectmen identified a number of areas of concentration, both immediate and for future reference. The areas were broken into financial management, education efficient town services, public utilities, recreation and community activities, affordable housing, conservation land and open space and safety and security. There was no separate public health goal except as part of the overall land use and planning. Land Use Chairmen were asked to meet quarterly.

Uncomposted Animal Bedding –report. Kathryn Kinzel, BUSPH Intern, provided a status report on the work she had done relative to the use of fresh animal bedding at Foss Farm. Her summarized material from the Board's file on whether fresh goat bedding provided by a local goat farmer posed a public health risk, particularly if it was used for growing produce that would be eventually sold at the local farmer's market. She explained that there is a risk of e. coli, salmonella and possibly tetanus although tetanus would occur from an injury rather than ingestion. Based on

comments from Michael Cahill of the MA Dept. of Agriculture the hay bedding should be incorporated into the soil well in advance of harvest. Use of the bedding as cover alone deprives the soil of its nutrients. Cahill suggests working into the soil at least 120 days prior to harvest. Kinzel also did some literature research that appeared to agree that uncomposted bedding should not be used on plants intended for consumption. Kinzel said it is also a good practice to wash fruits and vegetables thoroughly before eating. This can result in a 30% reduction of bacteria. If the produce is sold at a farmer's market, mulching should follow these recommended practices. If someone becomes ill, the Board of Health or town could be liable for not properly managing the public health risks. If someone chooses to use fresh bedding for produce intended only for personal use, there would be no liability for the town. Galligan asked if other towns regulate community gardens. Kinzel said that Concord does not allow commercial growers. She did not know of any other town that had specific regulations, but will check into it.

Brem and Risso liked the idea of a policy rather than a regulation. Risso suggested an education campaign aimed at homeowners and gardeners on the safe handling and growing of produce. Brem agreed this would be better than attempting to regulate the activity. Risso felt the Conservation Commission should be responsible for this since it is in charge of the Foss Farm gardens. Brem suggested an informational handout with a brief introduction and recommendations. Risso agreed there could be a liability issue for the town if sold at the local farmer's market caused a serious illness. The public might have no way of knowing of the possible contamination. The Board agreed public education and a policy was the best plan. The Board is concerned about getting this information out to the gardeners before spring. Galligan asked whether the policy would include manure from great Brook Farm. Kinzel said dairy farm manure is not as much of a problem. The cows are corn fed and the manure is aged or composted. It also gets worked into the soil unlike the bedding. Caddell felt there was additional research available that might help the Board develop a policy and offered to work with Kinzel. Caddell does feel that the use of fresh animal bedding poses a health risk from the research he has seen. It is important to provide this information to the public. Brem said the development of a policy for the community gardens should be a dynamic process of public education and scientific research. Gardeners need to be included in the process. Nilson said that tetanus is a big problem especially in the spring for gardeners because people do not regularly get boosters. Gardening equipment can be a hazard. Public education should cover this as well. (Brem left the meeting and Caddell took over the chair).

BILLS - It was moved (Risso and seconded (Galligan) to approve the bills as presented which includes MAHB conferences fees. Motion passed 3-0-0.

62 Lowell Street - Russ Wilson, R. S. will do a Title 5 Inspection to see if the system is in failure.

Flu Clinic - the senior and public safety clinic will be held 11/12 from 10-12. Staff can get a flu shot for \$25. The Board asked about the cost. Fantasia explained that Medicare pays for seniors and the town pays for public safety. Offering the clinic to teachers and staff is a convenience. The cost covers paid vaccine and administration. CVS charges \$29 per shot but may bill insurance carriers. Staff can submit the bill for reimbursement from health insurers. Nilson said Lahey Clinic offers free shots. There is a fee for parking. The Board is still considering whether to hold a public clinic sometime in December. Risso noted that there is no epidemic to address such as the H1N1 last year. Public interest may not be there. Kinzel said the City of Boston MRC's are holding two clinics in November. Fantasia said Region 4A is looking into the possibility of using left over PHER funds to pay for clinics. Each of the 34 towns may receive \$8100 in mass vaccination funding. It was suggested that a public flu clinic could be used as a drill for the MRC. Fantasia said an official drill has to be Homeland Security Emergency Exercise Plan (HSEEP) compliant to get credit.

Deer Population - Risso mentioned an article in the Globe describing how the Town of Dover is encouraging deer hunting as a way of controlling Lyme disease.

Meeting adjourned at 8:45 pm when Galligan left the meeting due to lack of a quorum.

Respectfully submitted,

Linda M. Fantasia
Recorder

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