

**Minutes of the Carlisle Board of Health  
June 22, 2016**

**BILLS**

MINUTES - 5/24/16 (pending), 6/1/16

**ADMINISTRATIVE REPORTS**

- PH 253 Virginia Farme Road – reconsideration
- 15.211 Setback Distance to Wetlands
  - 2.0' separation to groundwater

Irrigation Policy – draft proposal

**DISCUSSION ITEMS**

- CHNA Grant Award – meeting with Selectmen 7/12/16
- Benfield Farms
- May 21, 2016 Testing Results
- Discussion with DEP (Kevin Brander)
- Temporary Certificate of Compliance expires 6/30/16
- Administrative Assistant Positions – recommendations
- Gleason Library Water Supply – test results
- 95 Hanover Road – meeting with engineers (Frado, Fantasia)
- 67 Hanover Road – status report
- Old Home Day Planning – June 25<sup>th</sup>
- Wage Salary Classification Plan

The meeting was called to order by the Chairman at 7:00 pm at Carlisle Town Hall. Present were Board members Lee Storrs (Chairman), Catherine Galligan, Donna Margolies, Todd Brady and Todd Thorsen. Also present Linda Fantasia (Health Agent), Rob Frado (TCG) and Alex Brewster (Carlisle Mosquito)

**BILLS – It was moved (Galligan) and seconded (Margolies) to approve the bills as submitted(Technical Consulting Group for April, Horsley-Witten for the Groundwater Study Report, salary and wages). Motion passed 5-0-0.**

**MINUTES** – Tabled to the next meeting

**ADMINISTRATIVE REPORTS**

**Emergency Beaver Permit** – Fantasia issued an Emergency Permit for 917 Maple Street to install fencing to prevent beavers from damming a culvert and eliminate flooding on nearby properties. The Conservation Commission issued an Emergency Order for the work. Billerica is paying for Beaver Solutions to do the work since the affected properties are in Billerica. The permit is for 10 days beginning 6/21/16. A photo of the installed barrier was sent to the Board.

**Rutland Street Hoe Ram** – two neighbors reported the hoe ram noise. The Chestnut Estates developer Lou Baldoumas had not notified the Board or Building Department as agreed. When contacted Baldoumas said it was not his project. The Building Inspector suggested it might be coming from 600 Rutland which was having an in ground pool removed. The neighbors were notified.

**Tennessee Gas Line – Vegetation management program.** The Board was not notified as required. The work only involved the areas around the work shed to provide worker access. Fantasia will contact the project manager about the required notice.

**Central Middlesex Police Partnership (CMPP)** – Fantasia attended an informational meeting for town officials on the program which is working on reducing substance abuse in young people. Chief Fisher and Carrie Wilson (Principal of the Middle School) also attended. The program included the movie “If Only” highlighting the dangers of teenage substance abuse. Chief Fisher would like to partner with the Board of Health and School Department and use the movie to educate parents and middle school students. A planning session is scheduled for second week in July.

## **DISCUSSION ITEMS**

**Community Health Network Alliance (CHNA 15) Grant** – Carlisle has been awarded one of the grants to do a community health assessment. The Board will be working with the Council on Aging and Gleason Library. The purpose of the assessment is to engage residents in order to develop a community action plan to improve the quality of life of Carlisle community. The grant is funded by Lahey Clinic and administered by CHNA 15. An announcement of the grant will be made at the July 12<sup>th</sup> Selectmen’s meeting.

**Administrative Assistant Positions** – Fantasia and Margolies interviewed three candidates for the two positions. Current temporary employee, Judy Hodges, is also interested in the position. The final recommendations are: Judy Hodges and Barbara Nill. The positions begin on July 1<sup>st</sup>.

**It was moved (Margolies) and seconded (Galligan) to hire Barbara Nill and Judy Hodges for the two part-time positions of Administrative Assistant starting July 1, 2016. Motion passed 5-0-0**

**Gleason Library – Public Water Supply (PWS).** The most recent test for nitrates (6/7/16) showed a slight increase (7.5 mg/l). This is still under the 10 mg/L for a PWS. The Library is not using the water fountains. There was no evidence that fertilizers have been applied near the well. The leaching field is behind the Library and the well is in the front. The Board agreed to continue monitoring the situation.

**67 Hanover Road – Perc-Rite Failure** – No additional information on the cause of the failure or replacing the system has been provided to the Board. The Board agreed that Rob Frado should meet with Rob Sarmanian, representative from Oakson, Inc., the Perc-Rite vendor and the design engineer from Stamski & McNary, Inc., at the site. The property owner will be responsible for any costs associated with the town consultant’s visit. The Board agreed to send a Notice to Correct to the property owner requiring that a scope of work to replace the system be submitted to the Board by June 29, 2016.

**PUBLIC HEARING (Cont.) 253 VIRGINIA FARME ROAD** - replacement of a failed septic system requiring a waiver for setback distance from leaching area to wetlands. Present were Janet Murphy (owner) and Kristan Murphy, and Jeff Hannaford (Norse Design Services).

At the previous meeting the Board had approved a permit for the work but did not close the public hearing. The Board asked to meet again with the applicant and engineer to address a few more questions. The proposed design requires a waiver from local regulations for the minimum setback distance between a leaching area and wetlands (78’ proposed, 100’ required). The design also includes a 2.0’ offset to groundwater (4.0’ required) which Hannaford claimed is allowed under the Mass. DEP Remedial Use Approval for a Presby-Enviro Septic alternative technology. Storrs noted that it is incumbent upon the applicant to demonstrate to the Board’s satisfaction that the reduction “is necessary”. The design must also site a conventional Title 5 system to demonstrate impacts. This information was not presented at the last meeting. The Board was also concerned that the wetland line had not been approved by the Conservation Commission, making it difficult to grant a variance. Hannaford agreed that the system could maintain a 4.0’ offset to groundwater but it would require a pump chamber. Even a 3.0’ offset would require pumping. He believes that the proposed alternative technology provides better treatment than a conventional Title 5 system. The system will require less fill and clearing into the buffer zone, and as a design engineer he feels it provides protection equal to or better than a conventional system. Storrs said the goal of the Board is to vary to the least extent possible state and local regulations. It is up to the design engineer to demonstrate that the design is the best choice for the site. Hannaford said a pump chamber adds another component and does not reduce the impacts

to the buffer zone. He believes the proposed design is not only necessary but the best under the circumstances. Frado provided a technical data sheet showing the enhanced treatment provided by a Presby-Enviro system.

Brady questioned whether the Conservation Commission would prefer protection of water quality over clearing in the buffer zone. Fantasia said Conservation has authority over both but as a general rule would prioritize protection of water quality over tree clearing. Hannaford said he had intended to file with the Conservation Commission but wanted to wait for the Board of Health's decision. Hannaford does not believe the Board needs to grant a variance for the groundwater separation since it is allowed by the Presby approval. He noted that it is not a substandard system that is being built but one that provides enhanced treatment. The current system is in the groundwater so the upgrade will be a benefit. Presby uses a sand filter to remove contaminants and has special sand below the pipes as added filtration. Hannaford noted that the design also calls for a second tank which provides additional settling of solids before sending waste to the field. Frado said the soil testing corroborated Hannaford's groundwater elevation. Galligan asked what might go wrong if the Board issues the permit. Fantasia said the Conservation Commission may not approve the wetland line which could change the setback distance.

Fantasia noted that the system failed a Title 5 Inspection in April of 2015. It was experiencing breakout according to the owner. The Board asked if the system was being pumped. Hannaford said not since 2015 but there are only two people in the house. Murphy said they cannot do laundry and need to practice water conservation. The Board asked why it had taken so long to submit a repair plan. Hannaford said he intended to submit one last fall but had a very busy fall and winter. Storrs said breakout is a public health emergency. The tank should be pumped as soon as possible. Brady said the proposed design seems to be the best solution. Thorsen said the Presby technology looks like a good system. Hannaford said it also fits the contours of the topography. There is not required maintenance or reporting. It is a passive system but provides more treatment than an Infiltrator or a Cultec. The Board asked Frado how many of these systems were in town. He responded around ten. Hannaford said they plan on having the system in by the fall. Galligan felt regular pumping would be a reasonable condition.

It was agreed that there was no need to change the vote on the original permit and granting of a setback waiver. The Board could vote to add special conditions such as requiring a pump out within two weeks and getting the system installed this summer.

**It was moved (Storrs), seconded (Galligan) to close the public hearing. Motion passed 5-0-0. It was moved (Galligan) and seconded (Brady) to add two conditions to the permit approval voted June 1, 2016 : (1) septic tank must be pumped within two weeks and a report filed with the Board; (2) the system upgrade must be installed by August 31, 2016. Motion passed 5-0-0.**

**95 Hanover Road** – Fantasia and Frado met with George Dimakarakos of Stamski & McNary, Inc. to decide how much of the sand in place would need to be removed. The Board had ordered all of the sand removed since it had been left in place uncovered for two winters and the Board had photos showing that the bed had flooded previously. Frado said the flooding caused a silt layer to form. Dimakarakos wanted to discard the fill down to the silt layer, test the remaining fill and reuse it if it met the sieve test. He also suggested removing the sand and running it through a sieve at the site for possible reuse. Frado said it can be very difficult working with sand without mixing it. He did not think refreshing the sand at the site was practical. He would not sign off on anything he had not seen which would include any sand left in place as fill. Dimakarakos agreed to advise the owner.

Replacing the sand will cost between \$16,000 to \$20,000. Galligan noted that the Board has tried to work with the owner on numerous occasions over the last two years. On each occasion the owner failed to follow through. As a result the owner incurred additional expense due to consequential damages to the leaching system.

**Benfield Farms** – There was no representative of Benfield in attendance. Mike Moreau of Wastewater Treatment Services (WTS) emailed May testing results. Samples are being taken every other week. Fantasia had spoken with Kevin Brander of DEP who was unaware that the FAST System at Benfield was experiencing problems. She forwarded the sampling spread sheet to him.

Board members agreed that results are trending in the right direction with more results in the normal range. WTS continues to adjust the carbon feed to prevent oscillations in the various testing parameters. The last sample taken

on 5/31/16 was in compliance with both state and local discharge limits. Galligan questioned whether the results are good enough and what this means for the future of the system. Moreau suspected evidence of a biological kill occurring. Galligan suggested that the system was probably able to recover because of the warmer weather. She would be concerned about another incident during winter since the system had a very difficult time recovering from a kill during the colder months in 2015.

Storrs said the current system is a lot more complicated than the original design. It will require close monitoring and the Board was unclear on who would be doing this. The Temporary Certificate of Compliance expires June 30<sup>th</sup>. The system has been in place since May of 2014. Thorsen said he is more confident that the system is functioning better but still needs oversight. He suggested issuing a TCOC for a six month period as long as the system continues to meet 20 mg/l. Storrs said someone qualified needs to monitor the system.

**It was moved (Galligan) and seconded (Thorsen) to require the following from the Benfield Farms Development:**

- 1. Issue another Temporary Certificate of Compliance for the sewage disposal system for a period of six months (expiration dated 12/31/16).**
- 2. Extend the bi-weekly monitoring to monthly for a period of six months as long as the system meets the state discharge limits for nitrates (25 mg/l). Failure to do so will require testing every two weeks again.**
- 3. If nitrates exceed 25 mg/l both the Board and DEP must be notified within five business days.**
- 4. System will be maintained by a licensed Wastewater System Operator**
- 5. The Operations and Maintenance (O&M) Manual must be updated with specifications and design plans for the system as currently modified .**
- 6. The O&M Manual must be provided in both hard copy and electronic form within 30 days.**

**Motion passed 5-0-0.**

The Board agreed to advise Stamski & McNary, Inc. about the continuing problems with the FAST System since a permit was issued for a similar design for Garrison Place.

**Irrigation Policy** - The Board's goal is to limit water withdrawal for irrigation to 15% of the recharge rate for the land area. The Board has been working on a draft policy that would include a formula on how to calculate this rate. Thorsen said it is important to consider what the well is rated for, the geology of the area, and whether the policy is intended only for new construction or existing homes. He had done some research on the geology in Massachusetts and felt the 9" annual recharge rate was justified. The Board agreed noting that it had reviewed three separate studies, two of which supported the 9" a year recharge rate for Carlisle. A number of issues still need to be resolved including how to permit systems, a process for granting waivers and whether owners would have the ability to opt out of the requirements. Thorsen said there may be problems with enforcing an annual permit. Fantasia suggested registering systems rather than issuing a permit. This would be an opportunity to educate owners while still tracking systems in town. There could be a different requirement for new construction since most builders would be able to provide the necessary calculations. Thorsen agreed to prepare a revised draft for the next meeting that would be more understandable to homeowners.

**Old Home Day – June 25, 2016** - Storrs, Galligan, Brady and Thorsen volunteered to help with the booth

**Wage Salary Classification Plan** – Fantasia, Sylvia Willard (Conservation) and George Mansfield (Planning) are meeting with the Town Administrator on questions pertaining to the new classification plan. There appears to be an inequity in the placement of some employees. There is no accounting for years of experience. If a position moves up a grade the position starts at step one. This will be difficult since the Board of Health is hiring two new assistants who will be making the same in wages as assistants for Conservation and Planning who have many years of experience.

**Food Establishment Permits** – the Board has received a number of residential kitchen applications from parents whose minor children wish to start up a business to make money over the summer. Mainly the items would be sold

at the Farmer's Markets. The Food Code does not allow licensing of anyone under the age of eighteen. Galligan had suggested adopting the Dept. of Public Health restrictions on young workers. The purpose of which is to prevent injuries. She listed a number of examples including no baking for anyone under sixteen. Charitable donations are exempt but the charity must be identified. Rather than specify what kind of work is allowed, the Board agreed to follow the Mass. Food Code.

**It was moved (Galligan) and seconded (Brady) to follow 105 CMR 590.00 Mass. Food Code which sets a minimum age of eighteen for food establishment licensing. Motion passed 5-0-0.**

There was no further business. Meeting voted to adjourn at 9:35 p.m.

Respectfully submitted,

Linda M. Fantasia,  
Recorder