

**Minutes of the Carlisle Board of Health
July 14, 2009**

Present: Board Members Jeff Brem (Chairman), Chris Deignan, Bill Risso, Michael Holland; Absent: Mark Caddell; also present: Linda Fantasia (Agent); Rob Frado (TCG); (Carlisle Mosquito)

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

BILLS – It was moved (Risso) and seconded (Deignan) to approve the bills as presented. Motion passed 3-0-0 (Holland had not arrived).

Risso noted that the spring inspection at Ferns was five hours. In the past the Board collected additional permit fees to cover extra costs. The Board agreed to speak with the property manager later in the meeting.

ADMINISTRATIVE REPORTS

Emergency Telephone Notification System – there will be no direct Regional funding next year to pay for the system. The Board agreed that it is important for the town to have an emergency notification system. Carlisle does not have Reverse 911. Brem suggested sending a letter to the Selectmen asking to meet with the Selectmen to discuss how to make this a priority.

All Hazards Plan - was recently completed by TRC, hired by PH Region 4A. This will become part of the Comprehensive Emergency Plan (CEMP). Brem suggested forwarding electronic copies of the plan to members of the LEPC.

Septic Loans – Fantasia has been working with Cory Atkins' office on the pre-loan assistance of \$10K. She has also been working with the Town Account on setting up an account to receive the funds from the State Revolving Fund. The owner of one of the properties wants to get started and is willing to pay initial costs. The Board agreed the owner could be reimbursed through the loan program, but needs to understand that until all legal documents have been executed repayment cannot be guaranteed. (Holland arrives).

FY09 Budget Summary - the Board was able to return \$337 in unused funds. This is less than the proposed reduction (\$456) authorized by the Selectmen. The Board was pleased that there was no overrun, but noted its concern about maintaining such a tight budget again next year. The 53E account had a beginning balance of \$21,204 and an ending balance of \$21,419. No monies were expended from the Water/Sewer Warrant Article. Funds are still being held in the Emergency Preparedness Grant for installation of the generator. Additional funding was approved by Region 4A to cover the final cost of the MRC Trailer. (Holland arrives)

147 Hutchins Road – Owners submitted a request to place a garbage grinder deed restriction on the property in order to use the extra capacity for a proposed addition. A satisfactory Title 5 Inspection Report was submitted along with a letter from Stamski & McNary verifying adequate capacity and a proposed floor plan. The Restriction was inadvertently left off the last meeting's agenda. The Restriction was signed by Deignan, Vice Chair, so that a building permit could be issued. The Board needs to ratify the Restriction.

It was moved (Risso) and seconded (Holland) to ratify the issuance of a Garbage Grinder Deed Restriction for 147 Hutchins Road to accommodate an addition to the house conditional upon removal and verification that there is no grinder in use and recording of the restriction on the property title. Motion passed 3-0-1 (Deignan)

Summer Intern – The Board received no applications under BU's Summer Intern Program. Jenn Fantasia, daughter of Linda Fantasia, offered to work on updating emergency response plans and preparing for possible H1N1 Clinics this fall. She is a recent college graduate with a B. S. in Biology. This would be a voluntary, unpaid position. The Board has accepted student volunteers in the past on various projects through the CCHS program. The Selectmen currently have a college intern working for their office.

It was moved (Risso) and seconded (Holland) to accept the offer of Jenn Fantasia, 580 East Street, to work on emergency response planning as an unpaid intern.

FERNS COUNTRY STORE – present for the meeting was Larry Bearfield and Robin Emerson, managers.

Gabi White of the Concord Health Dept. conducted the semi-annual inspection on 6/29/09. A number of violations were noted, many of a recurring nature. Bearfield explained that most of the problems were the result of old equipment. He would anticipate correcting all of the items during the physical structure build out. Bearfield thought that White's comments were excessive in describing some of the problems. Many of the surfaces such as the floors cannot be cleaned properly due to condition and age. Emerson provided the Board with a sample of the new flooring. All of the new surfaces meet the requirement of the Food Code. One problem involved a missing faucet handle. Bearfield explained that the faucet is on the three bay sanitizing sink where only hot water is used. The cold water tap broke and he could not find a replacement so he removed the handle. According to White, this violates the plumbing code. Bearfield has corrected the problem. All wiring will be brought to code in the new building. Prepackaged foods and breads will now carry proper labeling. One refrigeration unit was out of temperature and the food was discarded. This happened the day of the inspection. The store keeps daily temperature logs. A freezer in the basement does not have proper seals but maintains temperature. If there is a problem with any of the equipment, the staff is instructed to call Bearfield immediately. Bearfield expects that all of the old equipment will be replaced by October. According to Bearfield all of the physical problems have been addressed to the best of his ability. The market is now instituting a more rigid cleaning schedule. Each job assigned must be initialed when done. All of his staff will do the online ServSafe training offered through the Mass. Restaurant Association.

The Board agreed that it is willing to allow the continued use of the old equipment for a short time. A kitchen plan must be filed by 8/4/09, the next meeting. Once submitted, the plan will be reviewed by the Board's consultant. Bearfield was asked to provide an operation plan if the market will remain open during renovations. The Board noted that the inspection took four hours. The annual permit fee is only \$200.00. Bearfield agreed to reimburse the town for the additional time.

Bearfield then submitted a water flow analysis for the Board's review. Current metered flows for the apartment and store average 153 GPD. Proposed flows with low flow devices and a composting toilet for public use are expected to average 127 GPD. The septic system has a capacity of 210 GPD. Proposed flows will amount to approximately 60% of the variance granted for the existing system. Brem said he had spoken with Tom Mahin and Eric Worrall of DEP Water Supply Division. They had no issue with the proposed plan but questioned whether the proposed hand washing sink which might cause the system to be out of compliance with the variance granted. If it is determined that a public hand washing sink would substantially increase the flows to the system, one solution would be to limit the sink to employees and provide hand sanitizers for the general public. The Board agreed that if the flows were kept within the existing septic capacity, DEP would most likely not have a problem with the proposed renovation affecting the variance. Holland suggested obtaining a written determination from the Water Supply Division that the proposed renovations to the facility will not constitute a public water supply. A letter of support from the Bureau of Resource Protection, based on the mitigation plan, would be helpful. Ferns should also check with the Dept of Public Health on the use of hand sanitizers as an equivalent to a sink.

The Board requires the kitchen renovation plan to be submitted by 8/4/09. Holland noted that previous inspections had issues with cleanliness. He asked that the Board's agent or Board of Health member be present during the initial start up inspection in order to get a baseline. Risso agreed that the Board does not expect any further problems with cleanliness or general operation once the equipment and facility problems have been corrected. Board members agreed that the Board has been very accommodating of the planned improvements. Once these improvements are in place, the Board will expect full compliance in all areas of the operation.

58 WOLF ROCK ROAD – Redesign. Plan entitled: “Sewage Disposal System, 58 Wolf Rock Road, Map 27, and parcel 50, Carlisle MA, prepared by Stamski & McNary, Inc. revised July 1, 2009.”

Present for the public meeting was Kent Gonzalez, owner. The system was redesigned using a Presby Enviro-Septic Leaching System with a 2' separation to high groundwater as provided in DEP Modified Approval for Remedial use dated February 15, 2008. This reduction will eliminate a proposed retaining wall and minimize grading. There will

be a significant cost savings as a result. Holland wanted to be certain that the Modified Approval allowed for a 2' reduction in separation to groundwater. Fantasia said she would double check with Rob Frado. Being familiar with the site from previous testimony, the Board agreed that the proposed design was an environmental improvement as well as a significant financial savings to the owner. Gonzales said there is an estimated savings of \$10,000, possibly more. He also noted that the local variance granted by the Board for the design flow (600 GPD required, 440 GPD provided) is no longer necessary. A final review of the revised plan is required. The plan must be submitted to DEP under BRWP64c permit for remedial use. The Board had no other comments.

It was moved (Risso) and seconded (Holland) to approve the soil absorption system redesign for 58 Wolf Rock Road conditional upon a satisfactory technical review of the revised plan and verification that the 2' separation to groundwater is allowed under the February 15, 2008 Modified Approval. Motion passed 4-0-0.

236 LOWELL STREET – replacement of a failed soil absorption system. Plan entitled: “Sewage Disposal Plan, 236 Lowell Street, Carlisle MA Map 21, Parcel 15, prepared by Stamski & McNary Inc., June 9, 2009”.

The proposed design is intended to replace a failed system. The design utilizes a Perc-Rite Drip Dispersal System, an approved alternative technology under DEP Certification issued 3/27/09. The Board noted that this is the first installation of a drip dispersal system in Carlisle. Risso said he still has questions about what happens during a heavy frost. Holland, who has experience with these systems, said that there should not be a problem. They work in depths of only 1/8”. There should be constant flow when in use, and the lines will drain back when not in use. Frado noted four deficiencies in the technical review dated 7/7/09, including the need for a maintenance contract and a preconstruction meeting. Board members would like to observe the installation. There were no further comments.

It was moved (Holland) and seconded (Deignan) to approve the proposed Per-Rite Design for 236 Lowell Street conditional upon satisfying the items noted in the 7/7/09 technical review and installation, operation and maintenance in accordance with DEP Certification dated 3/26/09. Motion passed 4-0-0.

Comprehensive Permit Regulations- Michael Epstein, David Freedman (Planning) Ed Rolfe ZBA)

Freedman explained that a review of current zoning Board Regulations on Comprehensive Permits was undertaken last March with the assistance of a consultant. The proposed Regulations were intended to establish rules for the procedural and substantive review of comprehensive permit applications. In November there was a preliminary discussion on how to bring the Land Use (LU) Board into alignment with this review process. One of the proposals involves having the land use boards adopt a policy for instituting Town Hall Advisory Groups (THAG) and establishing 53E accounts for consulting expenses. It is important for policies to apply to all developments to not discriminate against 40B applications. Land Use Boards would use the THAG to facilitate the fact finding. The Planning Board is considering adopting the THAG policy and Conservation has taken it under advisement. The policy spells out how a THAG would be established and what its role. The THAG does not take the place of a regulatory authority. There is not set membership and THAG composition would depend on the type of application received. Brem warned of one pitfall whereby a regulatory authority might take a different position than suggested by the THAG. Freedman and Epstein reassured the Board that the THAG cannot speak for the Boards they represent. The role of THAG members is to describe what the Boards require. It is an informational exchange intended to save the applicant duplication of effort before various permitting boards. This is particularly important during a 40B application due to the constrained timeframe provided by statute. Establishment of a 53E account makes sense as a general accounting function. It would be a revolving account intended to hold consulting fees until services were rendered. This eliminates the need to have a separate consulting line item which can be difficult to predict. A revolving account is a one way fund intended to pay for consulting services. It does not get returned to the applicant like a 53G account. The Board agreed to consider the policies for the next meeting. Freedman and Epstein said they were available to answer questions before that time.

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

Respectfully submitted,

Linda Fantasia, Recorder

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Meeting Date: July 14, 2009
Approved: 11/17/09