

**Minutes of the Carlisle Board of Health
September 15, 2009**

Present: Board Members Jeff Brem (Chairman), Chris Deignan, Bill Risso, Mark Caddell; Michael Holland; also present: Linda Fantasia (Agent); Nancy Pierce (Mosquito)

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

MINUTES - tabled.

ADMINISTRATIVE REPORTS

Housing Complaint – (Holland arrives). The Board had received a request for a housing inspection from an attorney representing a tenant. The complaint which involved a slow draining accessory toilet did not meet the threshold of imminent danger. As for the other issues raised, the Board is required to do an inspection. Fantasia will go with the Building Inspector. The landlord wants to be present. Fantasia noted that both parties were interested in resolving the issue. A similar complaint was registered back in 2007 with a satisfactory outcome. If an inspection finds serious violations, it would be necessary to bring in a professional inspector. The Board thought that the town should be reimbursed for any expenses.

Barn Fees – Fantasia asked if the fee should be increased. Renewal applications will be mailed this month. The Animal Inspector has not requested an increase. Barn inspections are covered by the application fee. This is in addition to the \$1000 stipend paid for wildlife calls. The Board agreed to keep the same fee.

H.E.L.P – this presentation is being co-sponsored by the Center for Parents and the Board of Health with CHNA Grant funds. It is being held in Carlisle. Dr. Yammartino will talk to parents about raising young adults.

Continued PH 98 Wolf Rock Road –“Septic System Upgrade, 98 Wolf Rock Road, R. Wilson & Assoc., revised 8/26/09”. Waivers requested: 15.221 Reduction in field capacity of 660 GPD to 644.5 GPD and 15.211 reduction setback to wetlands from 100’ to 68.3’

Russ Wilson, design engineer, was present. The hearing was continued from the last meeting so that Wilson could provide additional documentation in support of the requested waivers. Wilson submitted a letter from Acton Concord Septic verifying that the liquid level in the distribution box was above the pipes. This is a Title 5 failure criteria although a full report was not submitted. Wilson also testified that the soils were unsuitable in the rear of the lot and submitted a soil maps which indicated Chalton Hollis Rock Outcrop. His survey crew also did a visual inspection of the ground surface to confirm this. Because of the high bedrock a mounded system would be required. This would be extremely costly for the owner and unnecessary since there is a more viable site. As for the proposed capacity, Wilson said the system is laid out to the limits of good soils. It is not possible to add another row which would be required for even distribution. This would also reduce the area available for a backyard. He is asking for a reduction in leaching area under maximum feasible compliance (5% allowed, 2% requested). Risso asked why they had not asked for a garbage grinder waiver. Wilson felt the 2% reduction is better than a 50% reduction in treatment area. Risso said that if the system cannot support a garbage grinder, a restriction should be required. The Board needs to be consistent in its application of the garbage grinder deed restrictions. Holland said he did not have a problem with the reduction in size or whether a restriction was required; the setback to wetlands is a bigger issue. He was satisfied that the information submitted relative to soils, ledge outcrop and system failure justified the waivers (Brem arrives). The Board asked whether the owners would record a garbage grinder deed restriction. Wilson said he would need to ask. Risso said he would have a problem granting a garbage grinder waiver without a deed restriction. The Board discussed various ways of fitting additional treatment into the system. They asked Wilson to check the design specifications. The Board agreed that if this does not work, they would want a garbage grinder deed restriction recorded. If the plan is revised, it will not be necessary to return to the Board as long as Rob Frado is satisfied. If the leaching area cannot be increased to meet full compliance, a garbage grinder restriction is required. This would be signed at the Board’s next meeting. The Board asked for comments from the public. There were none.

It was moved (Brem) and seconded (Risso) to close the public hearing. Motion passed 5-0-0. It was moved (Holland) and seconded (Risso) to grant a waiver from 15.211 for setback distance from leaching area to wetland (68' provided, 100' required). Motion passed 5-0-0. It was moved (Brem) and seconded (Risso) to deny the request for a waiver under maximum feasible compliance (15.203(2) and 15.204(4) and local regulations 15.221 for system capacity. Motion passed 5-0-0.

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

Concord Health Department submitted their technical review for the food service establishment renovations. They did not review water and waste disposal which will be handled by the Board. Bearfield said he wanted to discuss changing the employee restroom into a public restroom with a hand washing sink. The restroom will have a Clivus composting toilet. The plan also includes 24 seats in the deli area but no table service. According to Bearfield's calculations, the 1996 Title 5 design flows were 970 GPD. There have been changes in the use of the property since that time. The commercial garage is no longer in use and the retail market has been expanded into this area. Design flows for the current and proposed use are 920 GPD. According to the metered flows tracked for over five years actual water usage averages 153 GPD. This will drop to 131 GPD with the installation of water saving devices such as an energy efficient washing machine for the apartment, a new spray attachment for the rinse sink and the composting toilet which only averages 1 GPD discharge. There are no plans to change the deli menu and there is no cooking or grilling done in the food establishment.

In order to proceed with the renovations, Bearfield is asking to amend the 1996 Title 5 variance and for confirmation that the facility is not a public water supply. Brem has had discussions with the people at DEP and received positive input. Since the system is permitted through a state variance, Ferns will need to request an amendment from DEP. The amendment should be based on the fact that the design flow requirements have changed since there is no longer a gas station on the property. The letter should be addressed to Eric Worrall with copies to Claire Golden and Tom Mahin. Brem said the Water Supply Division may require reporting on the water usage. DEP will expect the local Board of Health to comment on the request. Caddell had some questions on the water budget submitted which Bearfield explained. The Board asked why the system was sized for 210 GPD when the design flows required 970 GPD. Fantasia said that was the largest leaching area that could be sited on the lot. The Board did not think identifying the seating area as a "lounge" was appropriate. Bearfield said this came from an earlier design. The Board suggested that the market and deli were similar to a fast food property. It was decided to call the lounge a "seating area". Brem said that the hand washing sink must be clearly labeled as not a potable water supply. Bearfield agreed.

It was moved (Deignan) and seconded (Caddell) to write a letter of support to DEP on the request of Ferns Country Store to amend the 1996 Title 5 Variance based on the information provided to the Board and the change in use of the property and to request confirmation that the facility is not a public water supply with appropriate signage in the restroom. Motion passed 5-0-0.

Brem said that there have been numerous discussions about the septic system and water supply with DEP. DEP recognizes the uniqueness of the facility to Carlisle. Fantasia asked about the composting toilet. Bearfield said he had spoken with the Building Inspector. The toilet only needs a plumbing permit.

ADMINISTRATIVE REPORTS continued:

Member Appreciation Night – The Board would like to recognize previous board members and MRC volunteers. Fantasia will check on dates. The Board would like a Selectmen to be present. (Holland left the meeting).

H1N1 Clinics – Fantasia provided the Board with a summary of the September Region 4A meeting. Twenty-two of the thirty-four towns were present. Most are planning local clinics, either in school or school based. Holding a clinic should be a community decision. LEPC, school and town officials need to be involved. Weston, Natick, Wayland, Marlboro and Stow are planning clinics. Concord has not decided although they are not considering in school clinics. They will be doing public outreach programs. The state is receiving a large amount of funding directed to local communities for the planning and organizing of local clinics. Carlisle will receive an estimated \$10,000 in Tier I and II emergency response funds. These include \$1500 for training and \$1800 for cell phones.

Tier III funding will be distributed 20% base and 80% population base. The exact amount has not been determined. The financial guidelines are very broad and can cover food, materials, staff, and backfill, as long as it supports a clinic. Fantasia noted the upcoming 6th Grade Spaghetti Supper. She will contact the school about training the students in proper hygiene. Brem thought the Board should wait to see what Concord decides. It will be important to coordinate because of the regional high school. The Board will discuss the question of a local clinic again at the next meeting.

BENFIELD FARMS THAG meeting – Brem reported on the meeting which was held that morning. Fantasia and Deignan also attended. NOAH and Meridian engineering provided scaled plans showing the well location, housing units, parking and septic. The septic system is now located on the rear of the property. Testing in the front of the lot was less favorable due to percolation rates of 30 mpi and a high water table. The well will be a public water supply. The proposed location is within a conservation restriction area. The Zone I and IWPA will stay mostly within the property boundaries. The actual number of wells to be drilled has not been determined. The septic system requires nitrogen reduction because it is within a nitrogen sensitive area (IWPA). THAG agreed that it would be more efficient if a single peer reviewer was selected and if the plans could be filed concurrently with the permitting boards. This would require more detail on the plans submitted but would be more cost effective. David Freedman will work with the developer to decide what needs to be included on the plans. NOAH hopes to file with ZBA by October 15th. They are looking for a permit in December or January in order to qualify for funding next year. Risso asked about access to recreation fields. Brem said this was not discussed in detail. He does not see significant Board of Health issues. More difficult problems will involve wetland crossings, retention basis and CR conditions. Locating the septic system should not be a problem because there are alternatives unlike the Coventry Woods 40B application. The developer will be submitting a site approval and pump test to DEP for the wells. Caddell suggested that the Board do a site walk. Board members thought this was a good idea. Fantasia will post the site walk for 9/24/09 at 5:15 pm.

SEASONAL HIGH GROUNDWATER TESTING – at the last meeting the Board had agreed to review how the requirement was handled in the current location regulation. There was concern that the regulation did not clearly state it as a requirement for new construction and voluntary upgrades, although it was referenced in the policies. The Board agreed it was never their intention to omit this requirement and it would be useful to clarify the language in the regulation so there is no misunderstanding. This would be clerical correction.

It was moved (Risso) and seconded (Caddell) to correct the reference for high groundwater testing for new construction and voluntary upgrades in the local regulation. Motion passed 4-0-0.

MEETING DATES – 10/6, 10/27, 11/17 and 12/08.

AGENT AUTHORIZATION – It was moved (Risso) and seconded (Deignan) to authorize the Board's Agent, Linda Fantasia, to approve and sign licenses and permits. Motion passed 4-0-0.

BILLS – It was moved (Risso) and seconded (Deignan) to approve the bills as presented for payment. Motion passed 4-0-0. The invoices for the community septic loan will be held until the money is received by the town.

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

Respectfully submitted,

Linda Fantasia, Recorder