

**Minutes of the Carlisle Board of Health  
May 28, 2013**

Present: Board members Jeff Brem (Chairman), Bill Risso, Catherine Galligan, Vallabh Sarma; Donna Margolies; also present Linda Fantasia (Agent) and Karina Coombs (Mosquito).

The meeting was called to order by the Chairman at 7:00 pm. at Carlisle Town Hall.

**BILLS** – include wages, hazardous waste collection (Selectmen), grant funded supplies and contract invoices. It was moved (Galligan) and seconded (Risso) to approve the bills as presented.

**DISCUSSION ITEMS**

**108 Hemlock Hill Road** – At the last meeting the Board had agreed to continue its discussion of whether to impose a fine for the owners' failure to record the garbage grinder deed restriction. The owners were invited to attend the meeting but were not available. The restriction was recorded on 5/14/13. It should have been recorded in December prior to obtaining a building permit for the addition. The owners submitted a letter of apology explaining how the condition had been overlooked. Board members discussed whether the tardy compliance without a penalty would set a precedent. The Board's agent had to send out two reminder letters with follow up phone calls before the restriction was recorded. Board members agreed that there was an unnecessary cost to the town, but felt that the important point was that the owners had recorded the restriction. Since the property was not changing hands, no physical changes to the system were being made and the work only involved finishing two rooms in the basement the Board felt the circumstance did not warrant any further action. Brem said he would not want to make this the model for enforcing compliance. Risso said the staff did a good job in tracking the non-compliance.

**Great Brook State Park – Emergency Beaver Permit.** Galligan reported that the Mass. Dept. of Conservation and Recreation had requested and received an emergency 10-day permit to address beaver activity causing excessive flooding along the Acorn Trail at the State Park. Water is eroding the soil along the Tenneco Gas Line, near the road and in one of the agricultural fields. Integrated Wildlife Control (IWC) has a state contract with DCR. They propose installing water flow devices at the beaver dams but will need to trap at one of the sites. The Conservation Commission has approved the work under an Enforcement Order. No downstream properties will be affected. IWC will trap and release any lactating beavers that might have kits. Any trapping must be completed by 6/1/13. The permit was issued 5/28/13 by the health agent.

**Town Counsel** – Brem spoke with Tom Harrington, new town counsel, about charging fees for additional costs. Harrington said the Board has the right to do this. Application fees are often averaged and it can be difficult to estimate exact costs. The Board has a lot of discretion in its authority to cover costs.

**Occupancy Permits** – Risso spoke with Building Commissioner John Luther. The Building Dept. has its own software program that tracks permits. It might be possible to include Board of Health permits and conditions. This would make it easier for the Building Dept. to track compliance with Board of Health conditions. There is a cost for the software. Luther will look into it.

**72 BROOK STREET – GEOTHERMAL WELL.** Chris Nowak of Coneco Energy and Derek Skillings of Skillings & Sons appeared before the Board with a proposal to install two closed-loop ground source heat pump (GSHP) wells. The location of the two wells is within the buffer zone. The work will require an Order of Conditions from the Conservation Commission and an Underground Injection Control Registration from Mass. DEP. The water fluid which is circulated through the ground loop lines is never exposed to the ground. The loop will consist of two 6" bores drilled to a depth of 325 each. The proposed locations meet all state setback requirements with the exception of the wetland buffer. The refrigerant to be used is on the state approved list. The system will comply with current Mass DEP Guidelines (Jan 2012). The Board asked about signage. Nowak said this would be provided by the manufacturer. The system will be clearly identified as a GSHP system. The owners will be retrofitting the ductwork in the house to accommodate the heat pump system. The Board was interested in the payback timeframe. Nowack said that it is generally five years for oil based heating system and ten for a gas system. The cost offset is shorter for new construction. The system has been sized to accommodate a future 2000

s.f. addition. It will provide both heating and cooling. There will be an electrical back-up system. The system will not be connected to the drinking water. The Board said it wants notice when the system is brought on line and an as-built plan. The local well inspector must inspect the work. There is a \$100 fee per well (\$200). There were no further questions from the Board.

**It was moved (Galligan) and seconded (Margolies) to approve the installation of two ground source heat pump (GSHP) wells at 72 Brook Street, Carlisle, MA in accordance with plan submitted by Coneco Energy dated 5/22/13 with the following conditions: system must meet all current state guidelines for GSHP; start up notification to the Board; obtain a Mass DEP UIC Registration; obtain an Order of Conditions or negative Determination of Applicability for work in the buffer zone; compliance with state and local electrical and plumbing codes. Motion passed 5-0-0.**

**389 RIVER ROAD – GUEST HOUSE.** Chris Hart, builder, appeared before the Board.

At the last meeting the Board agreed to consider the additional engineering costs incurred when the septic system was upgraded to accommodate the guest house and whether to impose a fine for the owner's failure to comply with the Title 5 conditions for obtaining a Certificate of Compliance. The total additional cost to the town above the original application fee was \$374.00 in direct engineering costs. This did not include engineering overhead. After a brief discussion, the Board decided that the issue did not warrant a fine. Unlike other cases where failure to comply might have the potential to cause an actual health problem, the River Road non-compliance was a legal technicality. The Board agreed, however, that engineering overhead should be included in the bill. The Board estimated an additional 25% for overhead bringing the total to \$500.00. The invoice must be paid prior to release of the Certificate of Compliance.

**It was moved (Galligan) and seconded (Margolies) to charge \$500 for the additional engineering and management time involved in the 389 River Road septic system upgrade. Motion passed 5-0-0.**

**TODD BROWN, LINCOLN TREE AND LANDSCAPE** - Brown asked to speak with the Board about delays affecting his work at Benfield Farms and 590 Heald Road and his payment for work at 103 Indian Hill. The Board asked to deal with each separately. It was suggested that he come to the meeting and speak directly to the Board.

**Benfield Farms** - He has been hired to do the installation work at Benfield Farms but has not been able to obtain the construction permit from the Board. Fantasia explained that the Board does not have a final plan of record and the Board is aware of this. There have been recent changes at the suggestion of the Plumbing Inspector. The Board does not have the revised plans nor have they been reviewed by Rob Frado. Once the plans become available, Fantasia would like to set up a pre-construction meeting with all parties, including the installer. This is a large project involving a number of parties. It is important that the installer understand what Rob Frado wants to inspect and what needs to be approved before moving on to the next step. The Board agreed to have a pre-construction meeting with Benfield construction team. Brown agreed to attend.

**590 Heald Road** – Fantasia said the plan has been reviewed and she is in the process of sending out the approval letter. There was no unreasonable delay in the permitting process.

**103 Indian Hill** – the first installment check under the loan program was received today. The check needs to be signed for by the owners. They are aware of this.

#### **PUBLIC HEARING CARLISLE SUPPLEMENTARY SEWAGE DISPOSAL REGULATIONS – FINAL DRAFT.**

The Board had received copies of the final draft. No additional changes were requested. No additional public comments were submitted. The Board agreed to vote on the revised regulations.

**It was moved (Risso) and seconded (Galligan) to close the public hearing. It was moved (Margolies) and seconded (Galligan) to approve the 5/14/13 revised Town of Carlisle Sewage Disposal Regulations, as amended, to be effective 6/1/13. Motion passed 5-0-0.**

**Board Reorganization** – Officers agreed to retain the same positions for the following year.

**It was moved (Sarma) and seconded (Risso) to nominate Jeff Brem as Chairman. Motion passed 4-0-1(Brem). It was moved (Sarma) and seconded (Margolies) to nominate Bill Risso as Vice-Chairman. Motion passed 4-0-1(Risso). It was moved (Risso) and seconded (Margolies) to nominate Cathy Galligan as Treasurer/Clerk. Motion passed 4-0-1(Galligan).**

There was no further business. Meeting voted to adjourn at 8:30 pm.

Respectfully submitted,

Linda M. Fantasia,  
Recorder