

**Minutes of the Carlisle Board of Health  
December 3, 2013**

Present: Board members Jeff Brem (Chairman), Bill Risso (Vice-Chairman), Catherine Galligan, Vallabh Sarma and Donna Margolies; also present Linda Fantasia (Agent); Rob Frado (TCG); Cynthia Sorn (Mosquito).

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

**ADMINISTRATIVE REPORTS**

**Community Preservation Act** - Project proposals due 1/10/14. The Board declined to act.

**Long Term Capital Requests (LTCR)** – The outfitting of a supply room at the school was discussed at the staff meeting. It would qualify under LTRC. This should be a joint effort – Fire Dept., Board of Health, Selectmen and School and a good project for a Shelter Subcommittee. The Board felt it was important to include the Council on Aging.

**Request for meeting change 12/17/13** – the next meeting will be 12/18/13.

**Septic Plan Submittals new procedures** – The Board is proposing a 14 day initial review and a 7 day turn around if possible on revised plans; emergency repairs will be handled as soon as possible. System redesigns will be treated the same as new applications (14 days). The Board would like to reduce the number of paper copies until the final submittal. Plans could be submitted as pdf's. Acton has designers note "Progress Plan" on the pdf. Rob Frado would like sieve analyses submitted before the installation inspection. The Board will also ask that alternative technology design certification be noted on the plan. Having a checklist would be helpful. A letter will be sent to local engineers explaining the new requirements.

**Community Incentive Grant** – Fantasia gave an update on the application. The award requested is \$72,000. Thirty towns including Acton, Lincoln, Bedford, Concord and Carlisle would participate. The project involves implementing a tick borne diseases network (TBDN) to check ticks for Lyme disease, Babesiosis, Anaplasmosis; each town would submit 100 ticks (50 in the spring and 50 in the summer) by residents; only human biting ticks would be accepted. Residents will receive test results; the results will help communities to improve risk communication strategies. This is a pilot program and if successful could become a wider state initiative similar to mosquito control programs. The testing would be done at the University of Massachusetts Laboratory of Medical Zoology by Dr. Steven Rich. The Selectmen have approved the application and the Board and Jean Barry MD, chairman of the Lyme Disease Subcommittee submitted letters of interest. The application deadline was 11/22/13 and Grant recipients will be announced in February.

Brem arrived and assumed the chair.

**MINUTES – It was moved (Risso) and seconded (Galligan) to approve the minutes of 10/8/13. Motion passed 5-0-0. It was moved (Galligan) and seconded (Risso) to approve the minutes of 10/22/13 as amended. Motion passed 5-0-0.**

**FOOD ESTABLISHMENT FEES** – Galligan reported that although the Board had voted a slight increase in its fees the revolving account was still operating at a loss. According to the Board’s consultant, Randy Phelps, it takes approximately seven hours per establishment to do two inspections, a follow up inspection if required, paperwork, billing and reports to the Board. According to Galligan’s work matrix the typical cost is \$415.00 (\$315 at consultant’s current rate of \$45/hr. and \$100 for administrative assistant tasks). She recommends increasing the fee for commercial establishments to \$415 per year. Brem disagreed stating that the purpose of the revolving account is to cover permit expenses within the year and the one fee is intended to cover two inspections in different fiscal years. Also it should not be covering work done by the Board’s assistant. The town should be paying for this. Galligan said the work done by the Board’s Agent is salaried but the Administrative Assistant helps with tasks only associated with a particular permit. Risso said the Finance Committee made it clear to the Board of Health that fees should cover costs and the purpose of the revolving account is to help offset administrative costs necessary for issuing a permit. Brem disagreed that wages were an appropriate expense for the revolving account. There was no further discussion.

**It was moved (Galligan) and seconded (Sarma) to increase the annual fee for a commercial food establishment to \$415.00. Motion passed 4 – (Brem)-0.**

Brem added that since there is only one commercial establishment the fee is discriminatory. The fees for seasonal ice cream stands should be changed too. Fantasia said they were increased last spring. Galligan said the purpose of the fee analysis is to gauge when fees no longer cover costs so that it can be addressed in order to keep the revolving account solvent. Sarma agreed that the applicant should pay for the actual cost of the service.

**338 BEDFORD ROAD (GOFF PROPERTY) Present** for the meeting was Elizabeth Barnett, Housing Coordinator, Greg Peterson (Chair Affordable Housing Trust), Tom Ryan of Ryan Associates and Steve Garvin Samiotes Consulting, Inc.

Peterson explained that Abacus Architects + Planning, Samiotes Consulting Inc. and Ryan Associates had been hired for Master Planning Design Services for 338 Bedford Road which the town purchased for the purpose of constructing two Dept. of Development Services (DDS) group homes. Two charettes had been held for planning purposes. Sarma and Brem had represented the Board at the two charettes. The team is now visiting land use boards for additional input.

Ryan gave a brief overview of the location of the property which abuts the Banta Davis Land, conservation land, and the school’s wastewater treatment plant (WWTP) and leach field. The project calls for the construction of two 5-unit DDS group homes and a possible community center on the five acres of land. The team has come up with three proposals: housing in the front of the lot, a 10,000 s.f. senior/community center and parking for 100 cars; a 5,000 s.f. two story center with parking for 50 cars and tennis courts and athletic field, and housing in the rear. Possibilities for water and septic are (1) private wells and septic system or (2) a public water

supply and tie into the WWTP. There are pros and cons to both. It is expected the housing would require 1100 gals per day leaching area. Peterson said the property would be similar to the Benfield Development with a long term ground lease. Every bedroom would count as a “unit” of affordable housing. The question of whether the project would be required to tie into the WWTP because the town owns both parcels is unclear. Peterson is checking with Dept. of Environmental Protection (DEP). The ground lease would require keeping the affordable housing in perpetuity. Brem said the one facility definition is tied to real property. Peterson said a ground lease is also real property. Risso said the WWTP would benefit from regular flows and favored the idea of tying in with a project that has a certainty of development rather than waiting for a possible future development on Banta Davis. Peterson said these were good points. It will be necessary to talk with the Selectmen and School Committee to lay a line over land controlled by these departments. There is adequate land area for siting a Public Water Supply (PWS). Galligan liked the idea of connecting the housing to the trail system as long as it protects the privacy of the residents. Trail accessibility might be an issue for some of the residents. Brem said if the Banta Davis project of 56 units of rental housing moves forward, it would be necessary to expand the leaching area of the WWTP. Land for this possibility should be set aside from development. The developers had considered this in the planning. Brem noted that one of the access roads appears to cut into the leaching area breakout. This is not allowed. The presenters noted that the plans were not completely to scale but intended to give an overview of the three possibilities. The Board thanked the team for the presentation.

## **WINTER INSTALLATION REQUESTS**

**81 Hanover Road** – Michael Kenny, builder, appeared before the Board. The excavation was done on 11/13/13 and the fill, tank and pump chamber approved on 11/20/13. Fantasia noted that the Perc-Rite was installed and tested on 11/26/13 without notifying the Board’s consultant. Frado was able to visit the site on 11/27/13. A partial As-built has been submitted. Kenny said the final rough grades will be done by 12/6/13 and all stabilization. Brem said the Board has a policy of no work on systems during the winter months since frozen back fill cannot be used. Kenny said this is not a problem. He is willing to place hay over the rough grades until it can be loamed and seeded in the spring. Frado said this allowable. Kenny expects to be ready for a Certificate of Compliance by 12/13/13. The Board agreed the system was well under way and close to completion.

**It was moved (Galligan) and seconded (Risso) to allow the installation work to continue at 81 Hanover Road conditional upon obtaining a signed Certificate of Compliance by 12/13/13 or the system must be stabilized and no further work done until 3/1/14. Motion passed 5-0-0.**

Brem recused himself and left the room due to a potential conflict with the following. Risso assumed the chair.

**59 Maple Street** – Fantasia reported that the installation is complete except for signing the Certificate of Compliance,

**It was moved (Galligan) and seconded (Sarma) to allow the owner of 59 Maple Street up until 12/13/13 to have the Certificate of Compliance signed and issued or work must shut down until 3/1/14. Motion passed 4-0-0.**

**82 Johnson Road** – Mark Metrano and Paul Gaboury (owner) were present. Frado reported that the top of the barrier and tanks were exposed. They need at least a rough cover. (Brem returned). Metrano said there had been settling as a result of landscaping. It will be corrected in the spring. Frado said he would prefer it be done now. The landscape needs to be finessed. Gaboury said he would put a tarp over the work area for the winter. He will provide pictures for the Board.

**It was moved (Risso) and seconded (Margolies) that a Certificate of Compliance be issued by 12/13/13 for 82 Johnson Road or no further septic work until 3/1/13. Motion passed 5-0-0.**

**560 Heald Road** – Chris Siegrist, owner, was present. She said her installer has agreed to install the components on 12/4/13, backfilled on 12/5/13 and do final grades 12/6/13. The Board noted the tight timeframe and that additional fees would be needed for the special request inspections. Siegrist agreed since the house has a pending sale.

**It was moved (Risso) and seconded (Sarma) that a Certificate of Compliance be issued by 12/13/13 for 560 Heald Road by 12/13/13 or no further septic work until 3/1/14. Motion passed 5-0-0.**

**38 Greystone** – Doug Carlson, builder, appeared before the Board. The grout in the d-box needs to be reinspected on 12/4/13. The Partial As-Built was submitted 12/3/13 for the field. Carlson said the house, which is modular, is not in place yet so there is no way to tie in the sewer line to the tank. The lot has significant ledge which delayed the preparation of the foundation for delivery of the house. The owners are looking for an early February occupancy. The Board discussed various ways of handling the situation and agreed that as long as the line was brought to within ten feet of the foundation the Board could sign off on it since the Plumbing Code is responsible for ten feet out from the foundation. Frado wants to assure the line maintains the proper slope. Carlson said it has a 2.6% slope which is more than adequate. Carlson said the field would be covered as soon as the as-built was approved. The sewer line could be laid in a day.

**It was moved (Risso) and seconded (Margolies) to allow septic work to continue at 38 Greystone conditional upon the following: sewer line to be laid in one day with non-frozen materials; the leaching field to be covered by 12/13/13, sewer line brought to within 10 feet of the foundation by 12/20/13 or no work allowed until 3/1/14. Motion passed 5-0-0.**

**80 Captain Wilson Lane** – Doug Carlson, builder, was present. The d-box and final grades over the field will be ready for inspection on 12/4/13. Carlson does not see a problem meeting a 12/13/13 deadline. Fantasia noted that the inspection fee for 12/4/13 had not been paid. Carlson said he would do so in the morning.

**It was moved (Risso) and seconded (Galligan) a Certificate Compliance be issued by 12/13/13 for 80 Capt. Wilson Lane or no septic work until 3/1/14 and all fees paid prior to scheduling any further inspections. Motion passed 5-0-0.**

**95 Hanover Road** – Chantal Nouvellon appeared before the Board. Fantasia said she left a message regarding the meeting but Nouvellon said she did not receive it. Nouvellon attempted to convince the Board that the delays were the fault of the town's inspector who had placed a stop work order on the site. She had hired her installer in October. The town has since hired an interim inspector, John Minty, to avoid any future conflicts. The Board said it only had authority over the septic system. The Board had issued a stop work order for a 40' area surrounding the foundation until the structure was approved. This meant the tanks could not be installed but work could continue on the field. The Conservation Commission also issued an Enforcement Order due to problems with erosion. Fantasia said the installer, Mike Moreshead, submitted a letter explaining the owner had not ordered enough sand to place over the bottom of the bed. He would like to see it filled to the top and covered for the winter. He is willing to do the work but Nouvellon needs to order the sand. Nouvellon disputed this statement saying it was Moreshead's responsibility to pay for the sand and he was in breach of contract. She had since talked with Doug Macone, also present for another site, and he had agreed to help complete the work. He agreed he was not familiar with the design or the situation, but offered to help. Frado said it was important to have a set schedule for completion so that system is protected in winter. If Macone does not know what work has been done it will be difficult to set a schedule. Risso said he had visited the site. There was some sand in the bottom of the bed. Frado said what may happen is the walls around the bed may deteriorate due to winter weather causing contamination of the sand which will then need to be scraped and cleaned of debris. This can be a very expensive proposition. Brem felt there was opportunity to complete the bed with an expedited schedule. Macone thought it would take him one week to complete the work.

Nouvellon argued that the house would be ready for occupancy by January. Nouvellon said the roofing delay was due to the need for a geotechnical survey which has been done. She intends to move ahead as quickly as possible. She will be selling her present home and her family will need a place to stay. She asked the Board to consider the hardship. Risso said he does not believe the house will be ready for occupancy by early January. There is no roof over the structure, the sheeting is not complete, and the shingles are still on the ground. In his experience, it will take about two to three months to complete. In the meantime the system could be damaged during the house construction which will involve heavy equipment and stockpiling materials. Galligan said that nothing is guaranteed this time of year because of weather. It would be better to cover the system and finish in the spring. Macone agreed that it sounded like a lot of work still needed to be done. Frado agreed.

**It was moved (Risso) and seconded (Galligan) that the septic work for 95 Hanover Road should be allowed to whatever action was need to protect the bed for the winter months and no further work until 3/1/14. Motion passed 4-1(Brem)-0.**

Brem said the installer should bring the sand to grade, level and protect it for the winter.

**32 Johnson Road** – the Board had not received an extension request.

**It was moved (Risso) and seconded (Margolies) to allow septic work to continue conditional upon issuance of a Certificate of Compliance by 12/13/13 or stop work until 3/1/14 and protect the installation work. Motion passed 5-0-0.**

**64 Page Brook Road** – the tank is being replaced. It should be ready for inspection 12/12/13.

**It was moved (Risso) and seconded (Sarma) to allow the septic repair to continue until 12/20/13 by which time a Certificate of Compliance must be issued. Motion passed 5-0-0.**

**73 Hobblebush** – Mark Donohoe, engineer, appeared before the Board. The fill was in place. Components will be installed on 12/4/13. He submitted a schedule from the installer Lou Baldoumas to the Board with a 12/13/13 deadline.

**It was moved (Galligan) and seconded (Sarma) to allow the septic work to continue at 73 Hobblebush conditional upon issuance of a Certificate of Compliance by 12/13/13 and if not issued that the system be stabilized and no further work allowed until 3/1/13**

## DISCUSSION ITEMS

**Open Space and Recreation Plan – It was moved (Risso) and seconded (Galligan) to approve an extension of the Open Space and Recreation Plan from five to seven years. Motion passed 5-0-0.**

**Gleason Library** – The Director would like to meet with the Board in January to discuss problems resulting from water quality that are causing corrosion of equipment.

**BILLS** – payrolls for staff and well inspector. The Board noted an error on the engineering invoice which was corrected. **It was moved (Galligan) and seconded (Sarma) to approve the bills as amended. Motion passed 5-0-0.**

**RESIGNATION** – Chair Jeff Brem submitted a letter of resignation (current term due to end at the next town election) to avoid any potential conflict as a result of his involvement in a development that he is proposing. Brem said that he has enjoyed the eight years he served on the Board which included revising local septic regulations, emergency planning response, improving public education on tick borne illnesses and working on general land use issues. The Board thanked Brem for his services particularly his expertise on Title 5 issues. The vacancy will be filled by a joint appointment of the Board and Selectmen until the next town election.

There was no further business discussed. Meeting voted to adjourn at 9:50 p m.

Respectfully submitted,

Linda M. Fantasia, Recorder