



Town of Carlisle
Office of
BOARD OF HEALTH
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TOWN CLERK-CARLISLE
CHARLENE M. HINTON

MEMORANDUM

To: Zoning Board of Appeals
From: Board of Health
Date: November 21, 2014

In Re: Lifetime Green Homes 40B Application

On November 21st representatives from Lifetime Green Homes (LGH) and the Carlisle Board of Health met with staff from the Mass DEP Drinking Water Program. The purpose of the meeting was for LGH to obtain a determination from MassDEP on whether the water supply for the proposed development should be regulated as a Public or Private Water Supply.

Present were:

- Eric Worrall, MassDEP Northeast Regional Director
- James Persky, MassDEP/Drinking Water Program
- Dorothy Montouris, MassDEP Office of General Counsel
- Bill Risso, Carlisle Board of Health Chairman
- Lee Storrs, Carlisle Board of Health Member
- Tom Harrington, Carlisle Town Counsel
- Linda Fantasia, Carlisle Health Agent
- Jeffrey Brem, Lifetime Green Homes
- Douglas Deschenes, Counsel for Lifetime Green Homes

According to Worrall, MassDEP would classify the project as a Public Water Supply based on the current plans and information provided. It would be up to LGH to overcome this presumption. Worrall further explained that MassDEP could not make an official determination until LGH was able to demonstrate that the project had the necessary permits to make it viable and submitted it to MassDEP for review.

For the meeting, Town Counsel had submitted a summary of the Board of Health's concerns on environmental and public health impacts. LGH had submitted sample sections of condominium documents in support of private ownership of the wells. Montouris said that it would be premature to comment on the legal documents which dealt with private well ownership, and that MassDEP would not review them until they were recorded. The group then discussed possible alternatives including individual lot ownership instead of a condominium, waivers to the Zone I restrictions, multiple public wells with overlapping Zone I's, testing and monitoring requirements.

In conclusion it was agreed that if LGH wishes to continue with the present plan it would be at its own financial risk. Furthermore, even if the Board of Health approved the use of private wells, MassDEP would still retain the right to determine that the wells should be regulated as a Public Water Supply. LGH agreed to work directly with the Board of Health as it explores its options.