

~ Draft~



Topsfield Board of Health
Meeting of Thursday, April 16, 2009
Town Hall Conference Room ~ 7:30 PM

The meeting was called to order at 7:44 p.m. with a quorum present: William Hunt, Chair; Sheryl Knutsen; Deborah Colbert

Not Present: Wade Goldman; Vincent Guerra

Also Present: John Coulon, Health Agent; Catherine Tinsley, Minutes Secretary

Abbreviations used:

TBOH- Topsfield Board of Health

I. APPOINTMENTS

VOTE: 126 Main Street – Septic Variance - Owner Susan Adams (Executor of the property)

Septic Design Plan by Graham Associates; Present Sarah Shultz, perspective buyer

Ms. Shultz identified that she anticipates adding a two car garage onto the house in the future and questioned if the Board would accept a different septic plan to accommodate the addition. The Board told Ms Shultz that a new plan showing her intentions of adding onto the original house needs to be submitted for the TBOH to take a vote on variance if needed. The Board recommended for the homeowner to familiarize herself of the various types of septic systems available on the market for limited spaces. No action was taken.

VOTE: 501 Boston Street – Septic Variance – Request to cancel and continue to the (next) TBOH Meeting of May 28, 2009

II. HEALTH AGENT'S REPORT

Executive Session - 4 North Common St. – update - Executive Session

8:38 PM - Ms. Knutsen made a motion that the Board enter into Executive Session for the purpose of discussing on going litigation and that Dick Gandt as Selectmen is present and that the Board return to open session. The motion was seconded and approved unanimously by roll call vote.

9:41 PM - On a motion by, Ms. Knutsen seconded by, Ms. Colbert with three members present and all voting in the affirmative and none in the negative, on roll call vote it was VOTED: To return to open session

The TBOH reviewed that Mr. Flomp, as Owner of the Topsfield Shopping Center is suing Gilford's Grocery Store, 30 Main Street, along with various Town Boards/Committees for issuing a liquor license allowing alcohol to be sold citing it is against the original agreement and that the septic system of 30 Main Street has failed and waste is spewed onto the shopping center property. The Agent identified that he was issued an order to appear in court. He reported on his findings in the basement summarizing that there is no appearance of mold or odors present. It was noted that Gilford's own the store and the property it sits on separate from the shopping center.

The Rail Trail was a part of the Shopping Center discussion as overlapping projects; there are conflicting reports on grade level with the abutting properties of the Shopping Center, the Rail Trail and the Station. The Board talked about revolting Certificate of Compliances as the work is not being done according to the time table. The septic tank is in the ground but water got into it prior to the electrical wiring/boxes being installed. It was the Consensus of the Board for Town Counsel, Sam Perkins, to send the Attorney for the shopping center

notification that without active construction on the septic system, the Board has the right to revoke the Certificate of Compliance and shut down the Shopping Center or become stewards of the business until violations are resolved.

Mosquito Questions & Tick Talk – Held Wednesday, April 15, 2009

Mr. Coulon reported on the Tick /Talk forum held last night saying that it was well attended and successful.

Mr. Coulon informed the Board about an article in the local paper regarding a substitute teacher /student who reportedly might have had (non confirmed) scabies saying it contained misleading information. It was noted that this is a non reportable health issue but the school sent out notification to parents; the local newspaper is over-reacting.

III. NEW BUSINESS

IV. OLD BUSINESS

New Meadows Golf Club Housing update and questions regarding required soil tests

Mr. Coulon reported that septic system design plans have been delivered. Soil testing was done spring/summer 2008 for the over 55 housing development. Beals and Thomas, Inc proposed peer review contract was reviewed by the Board. This contract would allow the septic plan review and all inspections associated with installation to be handled by the same peer review consultant currently under contract with the Town Planning Board and Conservation Commission. Mr. Coulon went on to explain the system and discuss the plan with the Board.

Mr. Hunt made a motion to authorize the Health Agent to sign the contract on behalf of the TBOH. The motion was seconded and carried unanimously.

The TBOH went on to consider problems inherent with the septic design plan as submitted. Mr. Coulon witnessed soil test in summer/spring were conducted with the understanding that the system would use a single leaching field; the submitted design plan uses four distinct fields proposed to be used alternately. The plan as submitted does not include a reserve field. The Board was unanimous in its direction to the agent to reject the plan as submitted and to insist that if this approach is maintained by the engineer, not only does each field need deep observation holes and perc test as required by Topsfield Regulations but plans must also include reserve field equal to the proposed leaching field.

12 Boston Street, aka English Commons, update and question of peer review

The review was not available in time for the meeting.

V. FINANCIALS

- Reviewed and Signed Bill Warrants

VI. COMMUNICATIONS

- Fluoride Documents

Ms. Colbert made a motion to adjourn and it was unanimous to do so.

Respectfully submitted by

Catherine Tinsley