

Town of Topsfield Board of Health  
Meeting of Thursday, January 9, 2014  
Town Hall, 8 West Common Street, Topsfield, MA 01983

Meeting Minutes

Pursuant to the Open Meeting Law, M.G.L. Chapter 30A, §§ 18-25, written notice posted by the Town Clerk and delivered to all Board members, a meeting of the Topsfield Board of Health, Thursday, January 9, 2014 at 7:30 pm in the Conference Room. With a quorum present, Board Chairman William Hunt called the meeting to order at 7:45 pm.

Board of Health Members present: BOH Chair William Hunt Esq., Clerk Sheryl Knutsen RN; Vincent Guerra MD; Gerald Topping PE; Wade Goldman PE, John Coulon RS, Health Agent; Susan Winslow, Minutes Secretary. Also in attendance: Charles Johnson PE; Nan Cook, Variance Applicant; Jeffrey Cook, Applicant's Husband; Gary Patch, Variance Applicant/Installer; Don Hooper, Hearing Applicant; Richard Gandt, Selectman.

**ABBREVIATIONS:**

TBOH: Topsfield Board of Health  
DEP: Department of Environmental Protection  
DPH: Department of Public Health  
TBOH: Topsfield Board of Health  
RN: Registered Nurse  
RS: Registered Sanitarian  
PE: Professional Engineer

Public Information  
Agenda

**APPOINTMENTS:**

13 Pond Street

Charles Johnson, PE, representing Nan Cook and other heirs, appeared before the Board with multiple Variance Requests for a septic repair at 13 Pond Street. Health Agent John Coulon reviewed the situation at this address for the Board, including the fact that the home is currently vacant and that Mr. Johnson appeared at the November 18, 2013 Board Meeting for the purpose of discussing the limitations of this property. These include restrictive property lines, wetland resource setbacks, the pond, a very high water table, and the existing well < 100' from the proposed septic system. Mr. Johnson appeared before the Board again this evening to outline options for a repair to the existing septic system which consists of a failed cesspool and leach pits.

Mr. Johnson provided the Board Members with multiple repair options.

A discussion ensued among the Board Members regarding the proposed options and the variance requests. Ms. Cook addressed the Board to inform them that financial hardship is a factor related to timing in this matter. It was noted that the nearest connection to the Topsfield water line is 1.3 miles away which makes connecting to the Topsfield water line economically unfeasible. Because the Ipswich water line is nearby on Boxford Road, the Board instructed Mr. Johnson to approach the Ipswich Water Commissioner to request a tie-in to the Ipswich water line. This is due not only to the restrictive conditions of the lot, but the shared public health concern regarding Hood Pond, as both Ipswich and Topsfield have access points to this recreational pond. Mr. Johnson reminded the Board that at the previous TBOH Meeting, this issue was discussed, and the Board had been informed that Ipswich has a policy of no outside tie-ins to their water line. The Board offered to write a letter to the Ipswich Water Board in support of the applicant requesting an approval to tie in to the Ipswich Water Line because of the multiple issues with this lot. The Board instructed John Coulon to do so. The Board also instructed the Agent to attend a meeting in Ipswich with Mr

Johnson and Ms. Halmen, the Ipswich Water and Wastewater Manager if asked by the applicant. Mr. Johnson withdrew the multiple variance requests for 13 Pond Street.

*VOTE: Mr. Topping made a motion to table the Variance Requests from Charles Johnson, PE, for 13 Pond Street. Dr. Guerra seconded and the motion carried in a unanimous vote.*

#### 17 Hickory Lane

Mr. Gary Patch, owner and licensed septic installer at this address, presented the Board with a Variance Request to add more than 3 feet of cover over part of the leach field at this address. He explained that this request is due to the proposed landscaping and will involve only half the leach field, and no other components. Mr. Patch told the Board that the Presby system at that address includes the requisite two vents. Mr. Coulon noted the system at 17 Hickory Lane is a gravity fed aerobic Presby system that is ventilated according to Presby standards. He explained that as an aerobic system, there is no issue with the amount of cover on the leach field. Mr. Topping added that as long as the structural components are within 9 inches of grade, he has no issue with this Variance Request. It was noted that Mr. Patch had not presented the Board with a written Variance request. Mr. Patch was informed that he must present the Health Agent with a written request. The Board also instructed Mr. Patch that the variance would not be in effect until Mr. Coulon had recorded an observation that the conditions stated had been adhered to:  $\leq 9$ " cover over structural components as well as other conditions required by Title V and Presby.

*VOTE: Mr. Topping made a motion to grant this Variance Request with the condition that the applicant supply a written request to the Health Agent and all components are a minimum of 9 inches to finished grade and are so witnessed by the BOH Agent. Mr. Goldman seconded and the motion carried in a unanimous vote.*

#### 54 Perkins Row

Mr. Goldman recused himself from this Appointment.

Mr. Dan Hooper, owner of 54 Perkins Row, requested that the Board grant a reduction in the number of Title V required inspections of the septic system at this address from two inspections per year to an annual inspection. He informed the Board that in the seven years since the system was installed, he has been in full compliance with the semi-annual inspections and the State regulation currently requires an annual inspection, not semi-annual as was the case when the septic system was installed. Mr. Coulon informed the Board that he had conferred with DEP regarding this matter and DEP has no objection to the Board granting this request. Mr. Coulon was instructed to provide Mr. Hooper with a letter reflecting the Board's vote on this request.

*VOTE: Mr. Topping made a motion that the Innovative Alternative System at 54 Perkins Row be granted an annual inspection requirement instead of a semi-annual inspection. Ms. Knutsen seconded and the motion carried in a vote consisting of 4 members in the affirmative and 1 abstention.*

#### **MINUTES:**

The Board reviewed the minutes from the November 18, 2013 Board Meeting.

*VOTE: Ms. Knutsen made a motion to accept the November 18, 2013 Minutes as written. Mr. Topping seconded the motion. The motion carried in a vote of 4 in the affirmative, with Dr. Guerra abstaining.*

#### **HEALTH AGENT REPORT:**

284 Perkins Row Title V Inspection Report:

Mr. Coulon informed the Board that he received a Title V Inspection Report for this address that included a sketch which is not to scale but he has a concern that the swimming pool at this address may be  $< 20'$  from the SAS which is the minimum required by Title V. He informed the Board that it is his intention to deny acceptance of this Title V Inspection Report if they agree because the information on the drawing of the system is incomplete. The Board supported Mr. Coulon's decision to deny acceptance of this report.

'Welcome to Topsfield' Letter:

The Board approved the 'Welcome to Topsfield' letter drafted by John Coulon and Susan Winslow. The letter will be given to Joanne Colosi of Community Greetings, a service that welcomes newcomers to town. Public Health materials will also be provided.

Mosquito Spray Exclusion:

The Board directed the Health Agent to post information about 2014 rules for Mosquito Spray Exclusion on the Topsfield Board of Health Website.

Dead Animal Pickups:

Mr. Coulon gave the Board a brief history on the financial oversight of Dead Animal Pickups by the Board of Health. Mr. Coulon explained that he is required to review and approve payment to town employees from the Parks and Cemetery Department for the pickup of dead animals outside normal working hours. Mr. Coulon explained that the Board of Health has a specific line item dedicated to Dead Animal Pickups which is rarely depleted. He informed the Board that Mr. Steve Shepard, Parks and Cemetery Superintendent, has requested \$500 from that line item for the cost of materials to maintain infrastructure related to this activity. The Board requested that Mr. Shepard attend the February 27, 2014 Board Meeting to explain this expenditure, and a decision was made to table this item until the February 27, 2014 Board Meeting.

Summer Interns:

Mr. Coulon informed the Board that the Department of Public Health will once again be placing Interns in Health Departments this coming summer and he intends to apply.

Public Health Accreditation:

He also informed the Board that many public health jurisdictions are becoming accredited nationally but with the application fee of \$5,000 for an accreditation application, most municipalities in MA, including the Town of Topsfield, do not have the funds for such an endeavor.

**NEW BUSINESS:**

Revolving Account:

Mr. Goldman addressed the Board about sending a request to Selectmen for a place on the Town Meeting Warrant to request a Board of Health Revolving Account.

*VOTE: Dr. Guerra made a motion to request that the Selectmen place a Warrant Article on the annual Town Meeting Warrant for the purpose of establishing a Revolving Account for the Topsfield Board of Health. Ms. Knutsen seconded and the motion carried in a unanimous vote.*

Housing Complaint:

Mr. Coulon presented the Board with information regarding a Housing Complaint at 45 Campmeeting Road. Renters at this address spoke with Mr. Coulon to complain about multiple housing violations. Mr. Coulon informed the Board that he inspected the property and found issues that he will be addressing in another visit to this address with the Building, Wiring, Plumbing/Gas, and Fire Inspectors.

Next meeting: February 27, 2014

Mr. Topping made a motion to adjourn the meeting at 10:30 PM. Mr. Goldman seconded and the motion carried in a unanimous vote.

Respectfully submitted,

Susan Winslow, Minutes Secretary