

TOPSFIELD BOARD OF HEALTH
Meeting of Thursday, May 27, 2010
Topsfield Town Hall

Minutes of the Topsfield Board of Health Meeting

May 27, 2010

Board of Health members present: Sheryl Knutsen, Acting Chair; Wade Goldman; Gerry Topping

Not Present: William Hunt, Dr. Vincent Guerra

Also Present: John Coulon, Health Agent; Susan Winslow, BOH Secretary; Catherine Tinsley, Minutes Secretary (8:24 PM); Selectmen Dick Gandt and Martha Morrison, BOH Liaison

Abbreviations used:

BOH Board of Health

Public information:

Agenda

Mr. Topping informed the Board that he needed to leave at 9 PM. It was observed that the Board would not have a quorum to complete the agenda.

Meeting was called to order at 7:39 PM by Chairwoman Knutsen

Mr. Topping made a motion to accept the minutes from February, 2010 as presented. Seconded by Mr. Goldman; unanimous vote in favor.

Mr. Goldman made a motion to table the minutes of March and April until a later date. Seconded by Mr. Topping, unanimous vote in favor.

17 – 19 Main Street

Mr. Ara Aftandilian appeared in front of the Board regarding 17 – 19 Main Street and his request for the Board of Health to accept field alterations of a slab basement to a full basement with a 5' setback. Mr. Aftandilian explained that the original plan showed a slab basement, but the inclusion of the elevator necessitated an alteration of the basement to a foundation rather than a slab. He told the Board that the Engineer, Mr. Morin, could not attend the meeting because of a death in the family.

The Board reviewed the plans for 17 -19 Main Street. Mr. Aftandilian explained that there is a thick black waterproof barrier around the system. Mr. Topping expressed concern regarding the 11 foot setback from the SAS at 17 -19 Main Street to the foundation basement at the neighboring property labeled Lot 2 on the plan. Mr. Topping questioned why Mr. Aftandilian was not required to construct a waterproof barrier between the SAS at 17 – 19 Main Street to protect Lot 2 from potential effluent seepage in the future.

Mr. Aftandilian reminded the Board that the Soil Absorbtion System has not deviated from the plan and that the soils are 'good' at 17 – 19 Main Street.

Mr. Topping made a motion to accept the field alteration of slab to full basement with a 5' setback. Mr. Goldman seconded the motion. Mr. Goldman then questioned whether the As Built will include the variance language. Mr. Topping then amended the motion to "Amend to require As Built at 17 – 19 Main Street to include a list of revised variance language." Second by Mr. Topping. More discussion ensued. Ms. Knutsen asked about the possibility of installing an impervious barrier between the SAS at 17 -19 Main Street and Lot 2 at this point. Mr. Topping pointed out that there would be extensive excavation work necessary, including a trench pit, to add an impervious barrier in that location at this point. Mr. Aftandilian pointed out that the property at 17 – 19 Main Street has only 5 toilets and a small sink for the store, and that with commercial use there would not be a large amount going into the system. Mr. Coulon pointed out the difference between science and law and Mr. Topping described the plain of drainage. Mr. Coulon pointed out that the plans have been viewed by 3 different Health Agents through the years as well as two expert installers.

Mr. Goldman called for a vote. The Board voted unanimously to accept Mr. Aftandilian's request for adjustment of setback local upgrade approval.

17 North Street

Kelly Radochia of 17 North Street came in front of the Board with professional drawings, as per the Board's request at the April, 2010 Board of Health Meeting. She was requesting an adjustment of setback to indicate relocation of the septic tank in order to place the tank at least 10 feet away from the foundation of the planned addition to her home. The plans indicate that the tank will be moved to a location that is 11 feet away from the proposed foundation. Mr. Coulon pointed out that if the Board was to review and reconsider the proposed rescision of amendments adopted 7/24/03 scheduled for a vote at this 5/27/2010 Board of Health meeting, it would have a direct effect on this situation. The Board decided that they would postpone the rescision of amendments adopted 7/24/03 until a full Board was in attendance, so the issue of 17 North Street continued under discussion.

Mr. Topping spoke to say that he had walked the property and endorsed the plan. Mr. Goldman expressed concern about digging so close to a 30 year old SAS. Mr. Topping again pointed out the open space at the property and indicated that having walked the property, he believes that the property has plenty of room and

good natural drainage on the property should the homeowner have to replace the existing SAS at some point in the future, but for now it is acceptable for the homeowner to replace the tank. Mr. Topping made the motion to approve the plan for local upgrade for 17 North Street as submitted. Mr. Goldman seconded the motion which was unanimously approved.

198 Central Street

Mr. Gerard McCarthy came before the Board to request an extension of 2 years on the percolation test at this location. Mr. Coulon pointed out that there are some properties in town that had percolation tests done, but the economic downturn halted construction. Mr. Goldman asked if there had been any changes made to the property, to which Mr. McCarthy replied 'No.' Mr. Goldman told that Board that they are given the power to grant extensions on percolation tests as per Board of Health regulations

Mr. Topping made a motion to extend the validity of the percolation test for 198 Central Street by two years. Mr. Goldman seconded the motion; which passed unanimously.

Catherine Tinsley arrived at the meeting at this point and took over the recording of the minutes.

Respectfully submitted,

Susan Winslow

Catherine Tinsley arrived 8:24PM

APPOINTMENTS

Vote: 206 Perkins Row

Request for Variance from seasonal limit to soil tests

Present: Gregory Bernard, registered sanitarian

Mr. Bernard informed the Board that 206 Perkins Row is on the market. This is a three bedroom home with a failed Title V system; prospective buyers are interested in renovating it into a four bedroom home.

Mr. Coulon explained that this is a variation to the bylaw to section 14 limiting deep hole observations to the months of April and May; this request is within the BOH authority to grant a variance on an individual base.

Mr. Topping observed that the seasonal testing was before modeling

The BOH took into consideration that soil conditions in the area warrant the variance.

Mr. Topping made a motion based on known soil conditions in the area and that this is a failed system to grant the variance on section 14 as referenced in the letter from Gregory P. Bernard dated May 27, 2010 for 206 Perkins Street. Mr. Goldman seconded and the motion carried by unanimous vote.

Vote: 111 Haverhill Road

Request for variance from 200 gallons per day to 110 gallons per day

Present: Jon Whyman, Licensed installer, Dave Howard, granted perspective buyers paying for upgrades to the

property

Mr. Whyman reported that this is a failed system; the house is currently vacant and bank owned.

He told the BOH that it is a level lot with excellent soil conditions.

The TBOH reviewed a plan dated 5-19-2010 sewage disposal system site plan and profile for 111 Haverhill Road, Map 10/ lot 22.

Mr. Topping made a motion to Grant the variance from local regulations from 200 to 110 gallons per day, per bedroom as provided for in Title V, subject to a BOH technical review is found to be compliant; the engineer submits letter to BOH requesting the variance; the engineer submits a revised plan siting Title V regulation number and local regulation number variance.

Mr. Goldman seconded and the motion carried by unanimous vote.

VOTE: VNA contract FY 2011 contract

Ms. Knutsen confirmed that the VNA runs half the Flu and H1N1 vaccination clinics.

Mr. Goldman made a motion to approve and sign the proposed contract between Town of Topsfield and the VNA for the FY 2011 in the amount of \$8750 as presented to the BOH. Mr. Topping seconded and the motion carried by unanimous vote.

The Board signed the contract; this will be sent to the BOS for approval.

VOTE: Fair – review of preparations, including questions of requiring TBOH approval of Temporary Housing per 105 CMR 410.430

The Board deferred action to the next meeting.

COMMUNICATIONS

The Board acknowledged a letter dated May 18, 2010 from Grenier & Associates regarding 4 North Common Street application for Disposal System Construction Permit filled with the TBOH on or about June 3, 2009 is being withdrawn and that the BOH issue no further findings or decisions relative to said application as filed.

Topsfield Village Shopping Center vent pipes were missing protection and are now protected as discussed with steel bollards and cement fill.

Mr. Coulon reported that he holds classes on Tuesday night at the Topsfield fire station for First Aid and CPR; this is open to Medical Reserve people. He encouraged the BOH members to attend.

Ms. Morrison requested the Health Agent submit a bulleted list of the Health Dept accomplishments for the town records to be used for the Commonwealth Capital Application for Livable Sustainable Community.

9:14 PM - Mr. Topping made a motion to adjourn; Mr. Goldman seconded and the motion carried by unanimous vote.

Respectfully Submitted by

Catherine Tinsley