

Town of Topsfield Board of Health  
Meeting of Thursday, November 3, 2016  
Town Hall, 8 West Common Street, Topsfield, MA 01983

Meeting Minutes – November 3, 2016 to cover October and November, 2016

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, November 3, 2016, at 7:30 pm in the Conference Room of Topsfield Town Hall.

Board of Health Members present: Sheryl Knutsen RN – Chair; Gerald Topping PE, Vice-Chair; Vincent Guerra MD; Joseph Collins, ESQ; Thomas Mannetta CE.

Also Present: John Coulon RS, Health Agent; Julie Mai and Aanh Tran representing a proposed Nail Salon at Topsfield Village Shopping Center; Gerard McDonald PE, H.L. Graham Associates, representing 8 West Common Street; Daniel Johnson RS, Domestic Septic Design representing 13 South Main Street; Susan Winslow, Minutes Secretary.

**COMMONLY USED ABBREVIATIONS:**

BOH: Board of Health

BOS: Board of Selectmen

CDC: Center for Disease Control

CEU: Continuing Education Unit

CEMP: Comprehensive Emergency Management Plan

COIN: Commonwealth Information Network

DPH: Department of Public Health

EDS: Emergency Dispensing Site

ESHWT: Estimated Seasonal High Water Table

EP: Emergency Preparedness

FDA: Food & Drug Administration

HHS: Health and Human Services

HMCC: Health & Medical Coordinating Coalition

LSAC: Local State Advisory Committee

MDPH Mass. Dept. of Public Health

MAVEN: Massachusetts Virtual Epidemiology Network

MDEP: Massachusetts Department of Environmental Protection

MEMA: Massachusetts Emergency Management Agency

MRC: Medical Reserve Corps

NEMMC: Northeast Massachusetts Mosquito Control

PE: Professional Engineer

PHEP: Public Health Emergency Preparedness

POD: Point Of Dispensing

RN: Registered Nurse

RS: Registered Sanitarian

SAS: Soil Absorption System

TBOH: Topsfield Board of Health

TRMRC: Topsfield Regional Medical Reserve Corps

VNA: Visiting Nurse Association

Board Chair Sheryl Knutsen called the meeting to order at 7:35 pm.

**APPOINTMENTS:**

**7:45 PM Proposed Nail Salon**

Julie Mai and her business partner Aanh Tran appeared before the Board to request that they be granted approval to open a nail salon at the Topsfield Village Shopping Center. Mr. Coulon gave the Board a synopsis of his previous meeting with Ms. Mai and related his suggestion to her that she consider asking a current Topsfield Village Shopping Center based salon, The Perfect Cut, if she could either rent space from them or tie her nail salon waste water into their tight tank. He informed the Board that businesses using

chemicals must dispose of them in a tight tank. Ms. Mai told the Board that she does not use any products that would produce liquid chemical waste. Ms. Mai explained that acetone/alcohol used in their nail salon dissipates quickly into the air and is removed using towlettes that are disposed of in the trash, as in home use. She explained that pedicure waste water contains no chemicals. The Board reviewed Title V Regulations, to determine if there is a specific regulation addressing the waste produced by nail salons. In this review, Board members did not find a regulation pertaining directly to this request. The Board agreed to table this issue until the December 15, 2016 meeting. The Board directed Ms. Mai and Ms. Tran to prepare a written proposal for the December 15 meeting. The Board also directed Mr. Coulon to meet with Ms. Mai and Ms. Tran to further explore options for their proposed business and to reach out to state agencies for guidance.

#### **8:00 PM 8 West Common Street**

Gerard McDonald PE from H.L. Graham Associates appeared before the Board with three variance requests as part of the Town Hall renovation project at this address. The Board requested that Mr. McDonald send a Form 9A Local Upgrade Approval to the Board of Health for their records, as these Variance Requests were taken directly from the Proposed Septic Design Plan dated September 3, 2016. Mr. McDonald said he would do so.

Mr. McDonald gave a description of the proposed septic design for 8 West Common Street including the following Variance Requests:

- Section 15.211(1) Variance is sought in accordance with Section 15.405 Local Upgrade Approval to allow the leach area to be sited over only one deep observation test hole. Soil testing throughout the test area was relatively consistent.
- Section 15.211(1) Variance is sought in accordance with section 15.405 Local Upgrade Approval to allow the septic tank and pump chamber to be greater than 3 feet below grade. Tank and pump chamber have been proposed greater than 4 feet below grade.
- Variance is sought in accordance with Section 15.405 Local Upgrade Approval to allow the invert elevation of the septic tank and pump chamber to be within 12 inches of the groundwater. The tank/chamber inverts are approximately at groundwater.

*VOTE: Mr. Topping made a motion to approve the three Variance Requests as outlined on the Septic Design Plan dated September 30, 2016. Mr. Manna seconded and the motion carried in a unanimous vote*

#### **8:15 PM 13 South Main Street**

Daniel Johnson RS from Domestic Septic Design appeared before the Board with a Form 9A Local Upgrade Approval with one Variance request as follows:

- Reduction of setback from SAS to Foundation to reduce from 20' to 11' (closest point)

Mr. Johnson explained that the existing system serves commercial property and apartments with wetlands and Cleveland Brook behind the property. He gave an explanation about the use of infiltrators in the existing system and his concern that the infiltrator system has failed, causing a failure of the leach field. Mr. Johnson explained that he has designed a new Presby Enviro-Septic System for the Leaching Area. The Board reviewed the Form 9A request and proposed septic design.

*VOTE: Mr. Topping made a motion to approve the Variance Request to reduce the setback from SAS to foundation from 20' to 11' as outlined in the Form 9A Local Upgrade Approval Request submitted by Mr. Johnson. Mr. Mannetta seconded and the motion carried in a unanimous vote.*

**MINUTES:**

September 22, 2016

*VOTE: Dr. Guerra made a motion to accept the September 22, 2016 Minutes as written. Mr. Collins seconded and the motion carried in a unanimous vote.*

**HEALTH AGENT REPORT:**

Mr. Coulon presented the Board with a letter from MHOA dated September 20, 2016 urging local Public Health Officials to vote against Ballot Question #4, the legalization of marijuana. He informed the Board that he and Ms. Knutsen attended the BU Activist Lab where this issue was debated. He informed the Board that when Marijuana is added to food, it is no longer considered medicine.

Mr. Coulon handed out a flyer for the upcoming toy sale in Topsfield, the proceeds to go to the Annual Giving Tree in town.

**Monthly Case Review:**

Mr. Coulon informed the Board that Sean Ward, owner of Peirce Farm at 116 Boston Street, was granted permission in the Spring of 2016 to use the 5,000 gallon tank that is the first of 3 septic tanks approved for this address as a tight tank temporarily until he could raise the funds from events at Peirce Farm to complete the installation of the system. Mr. Coulon expressed concern that Mr. Ward has not moved forward with the installation of the other tanks and continues to use the existing tank as a tight tank in violation of this agreement, creating a situation of willful non-compliance.

Mr. Coulon discussed this situation with the Board and suggested that Mr. Ward be informed that his Food Permit in Topsfield will not be renewed in January, 2017 and other outstanding permits in Inspectional Services, Planning Board and the Fire Department will be rescinded until he is in compliance with the approved septic installation at this address.

The Board directed Mr. Coulon to draft a letter to this effect, with a deadline for response at the close of business on December 15, 2015.

**MHOA Annual Educational Conference, Cape Cod, MA**

Mr. Coulon informed the Board that he attended this Conference. He said that he attended helpful sessions on the topics of Community Sanitation including Tanning, Pools, Housing, Camps as well as sessions on the Retail Food Code updates. He also attended a 2 hour Active Shooter Incident class and a session hosted by Claire Golden from DEP on Title V Plan Review. He informed the Board that the Springtime Seminar will be held in Peabody.

**Active Shooter Drill, Addison Gilbert Hospital, Gloucester, MA**

Mr. Coulon informed the Board that he volunteered as a victim at the recent Active Shooter Drill held at Addison Gilbert Hospital in Gloucester.

Mr. Collins left the meeting at 9:01 pm

NEMMC End of Season Meeting at Gould Barn – November 3, 2016

Mr. Coulon informed the Board that he attended the NEMMC End of Season Meeting at the Gould Barn in Topsfield. Dr. Al DiMaria spoke on the subject of Zika Virus and Ticks and the NEMMC gave their summary report for the season.

COA Lunch and Learn – November 3, 2016

Mr. Coulon informed the Board that directly after the NEMMC event at Gould Barn on November 3, he spoke at the COA/TRIAD Lunch and Learn on the topic of Public Health Emergency Preparedness, specifically sheltering in place. Ms. Winslow assisted him with a Power Point Presentation developed to highlight the Topsfield Public Health Emergency Preparedness Brochure developed by TBOH Chair Sheryl Knutsen RN. Ms. Knutsen also answered questions from attendees. There were 50 people in attendance and Fire Chief Ron Giovannacci spoke after Mr. Coulon. Attendees were given a reusable shopping bag, hand sanitizer and a pen from the TRMRC and helpful brochures relating to Senior topics on food, health and public health safety including the Topsfield Public Health Emergency Handbook. The response from attendees was very positive.

**Emergency Preparedness/TRMRC**

Mr. Coulon informed the Board that Liisa Jackson, the new TRMRC Coordinator, has been very active in sending out emails and messages about events and volunteer needs.

He and Ms. Knutsen gave the Board an update on HMCCs and Mr. Coulon pointed out that this new initiative has had some growing pains.

Ms. Knutsen informed the Board that at a recent meeting she attended, it was noted that all Meeting Minutes should include a list of documents reviewed.

Town Hall Renovation

Mr. Coulon informed the Board that the town offices will be moved to temporary office space in mid-winter, the location yet to be determined.

Rolling Green – 471 Boston Street

Mr. Coulon presented the Board with the Site Plan Review for the proposed 55+ community proposed at this address. This was for information only; no action was taken.

Notice of Citation – Tobacco Sales to a Minor

Mr. Coulon presented the Board with a letter from Ronald Beauregard, Tobacco Control Agent, to Topsfield Shell at 158 Haverhill Street citing them for this violation during a compliance check on October 4, 2016.

Mr. Coulon informed the Board that the new owner of Topsfield Shell apologized and paid the \$100 fine immediately. No action taken; information only.

DEP Individual Groundwater Discharge Permit

Mr. Coulon presented the Board with a copy of the letter dated September 27, 2016 from MDEP to Dr. Alfred Arcidi of Masconomet Health Care, 123 High Street approving their permit to discharge into the ground a treated effluent from their wastewater facility. No action taken; information only.

Quarterly Report from VNA Care

Mr. Coulon presented the Board with the Quarterly Report from VNACare dated July 1, 2016 to September 30, 2016. He also presented the Board with an invoice given to him by the Topsfield/Boxford Community

Club in which VNACare invoiced them for services. He noted that it might be a double billing situation. No action taken; information only.

Violation Notice – Topsfield Conservation Commission for 268 High Street

Mr. Coulon presented the Board with a copy of the November 1, 2016 Violation Notice generated by the Conservation Agent, Lana Spillman to Scott Silver at 268 High Street for unauthorized activities in Buffer Zone Resource Area. No action taken; information only.

Notice from Steward School Nurse regarding Lice

Mr. Coulon presented a fax from Steward School Nurse Cathy Rhuda RN dated 10/25/16 indicating 7 new cases of head lice at Steward School. No action taken; information only.

Mr. Topping made a motion to adjourn at 9:35 pm. Mr. Mannetta seconded and the motion was approved in a unanimous vote.

Respectfully submitted,

Susan Winslow  
Minutes Secretary

Referenced materials in this meeting:

- Title V Regulations
- Septic Design Plan for 8 West Common Street dated September 30, 2016
- Form 9A Local Upgrade Approval Request for 13 South Main Street
- Septic Design Plan for 13 South Main Street
- Letter dated September 27, 2017 from MDEP Section Chief Kevin Brander, PE to Dr. Alfred Arcidi, Masconomet Health Care, 123 High Street, Topsfield
- Notice of Citation – Tobacco Sale to a Minor and Notice of Board of Health Meeting dated October 6, 2016 from Ronald N. Beauregard, Tobacco Control Agent, to Topsfield Shell, 158 Haverhill Street, Topsfield
- VNACare Fiscal Year 2017 – First Quarter Report
- Letter from MHOA President Derek Fullerton RS, CHO to colleagues dated September 20, 2016
- FAX Transmittal from Steward School Nurse Cathy Rhuda RN to John Coulon dated 10/25/16
- Violation Notice generated by Topsfield Conservation Agent Lana Spillman to Scott Silver, 268 High Street dated November 1, 2016
- Information on Topsfield/Boxford Community Club and VNACare Invoice to them
- Community Giving Tree Flyer on Twice Loved Toy Sale