

**ANDOVER BOARD OF HEALTH**  
**Minutes**  
**June 16, 2016, 6:00 P.M.**  
**CD&P First Floor Conference Room**  
**36 Bartlet Street**

The Board of Health Meeting was called to order at 6:00 p.m. Present were Gopala K. Dwarakanath, M.D., Chairman, Ms. Pamela Linzer, Vice Chairman, Ms. Carolyn Dymond, Clerk and Mr. Thomas G. Carbone, Director of Public Health.

**I. Approval of Minutes**

- **May 16, 2016**

*Motion by Ms. Dymond, seconded by Ms. Linzer to approve the Minutes of May 16, 2016. Dr. Dwarakanath abstained. Unanimous approval.*

**II. Appointments & Hearings**

- **6:00 p.m. – Ben Osgood for 87 Greenwood Road, LUA Request (see below under D.W. R. P. Variances, Local Upgrade Approval for details) –**

**III. Discussion**

- **Endorse Grease Trap Variance for Brickstone Square** – Mr. Carbone stated that at the last Board of Health Meeting, the Board authorized him to approve grease trap variances administratively and then bring them to the Board for endorsement. He approved the Grease Trap Variance for Brickstone Square and was requesting endorsement from the Board.

*Motion by Ms. Linzer, seconded by Dr. Dwarakanath, to endorse the Grease Trap Variance for Brickstone Square. Unanimous approval.*

- **Training Video** – Mr. Carbone showed the second of a three part video made by MHOA to help train Board Members. The Board decided that the final part will not be viewed at a future meeting.

**IV. Old Business**

- **Life Guard at Pool Efficacy** – Mr. Carbone stated that the Board of Health asked him to research if using Life Guards at the semi-public pools in Andover should be put into the Semi-Public Pool Regulations. Most of the research he dealt with concerned lifeguards used at the ocean as opposed to pools. He referenced a report concerning a drowning at the Ramada Hotel, several Board of Health Meetings in 1993 when the Andover Pool Regulations were adopted as well as a report on Lifeguard Effectiveness. In 1993 the Board decided that it would regulate these pools

via restricting access to the pools as opposed to requiring lifeguards. Mr. Carbone explained that he was unable to find any information that showed having a lifeguard at a pool was safer. Dr. Dwarakanath expressed concern that having a lifeguard should be considered. Ms. Linzer asked what the argument was against requiring these establishments to hire a lifeguard. Mr. Carbone stated that the main detriment is the cost of hiring a lifeguard for as much as \$10 to \$15 per hour. Mr. Carbone stated that he would be reviewing all the Health Regulations in the coming year, so he wanted to know if the Board would like him to add this to the Semi-Public Pool regulations. Any changes would be in draft form and a public Hearing would be held, where the public can present its concerns. The Board Members all agreed that there were more pressing issues to work on, so they would like to look at this at a later date. They asked Mr. Carbone to do more research on what other surrounding communities are doing.

#### V. Subdivision Definitive Plans

- **Frederick Drive – Modification of Definitive Plan** – Mr. Carbone explained to the Board that he spoke with the Design Engineer. Updating the drainage to today's standards was the priority. Mr. Carbone recommended approval of the Plan with two conditions.

*Motion by Ms. Dymond to approve the Modification of the Definitive Plan at Frederick Drive, subject to the following conditions:*

1. *Any modification, amendment, or change to the Frederick Drive Definitive Plan shall be submitted as a new or modified Definitive Plan in accordance with the provisions of MGL Chapter 41, Section 81U.*
2. *Subject to Conservation Commission approval of the above dated plan by Order of Conditions or Negative Determination.*

*Unanimous approval.*

#### VI. Plan Review

- **DWRP – Variances/Local Upgrade Approval**
  - **87 Greenwood Road – 10' SAS to House Foundation 20' Required; 8 SAS to Property Line, 10' Required; 5' SAS to Cabana, 10' Required; 5' Tank to House Foundation, 10' Required; 5' Tank to Cabana, 10' Required** – Present were Mr. Benjamin Osgood, Engineer, Vijay Ahuja, Abutter to 87 Greenwood Road, and Kamal Hingorany of Engineer representing Mr. Ahuja. Mr. Carbone explained that this was a failed system with five LUA's for the Board to consider. There are challenges because of the wetlands abutting a tributary to the water supply. Mr. Osgood looked at the wetlands, flagged them and was limited by the 100' wetlands. He took into consideration where it was possible to do a test pit, the shape of the lot, and the landscaping to find what areas to work in as simply as

possible. He squeezed in the leaching area in order to be 100' away from the wetland, meet the offset to the water table, and be gravity fed. The leach field is 10' away from the foundation where the requirement is 20', so to prevent problems, he will put in a poly barrier to keep the water from migrating into the foundation. Mr. Carbone explained that the 2' waiver to the property line required him to notify the abutter. Mr. Carbone explained that the back yard is very tight so it may not be able to be moved to 10' from the property line.

Ms. Linzer stated that, when looking at the plan, she noticed that the front yard seemed to have more room for the system to be located without using all the LUA's. Mr. Osgood stated that there is a lot of landscaping in the front including trees, the driveway, and plantings around the driveway. Mr. Osgood supplied the Board with photographs of the property at 87 Greenwood Road showing the landscaping in the front yard. <sup>1</sup>In addition, a pump would have to be used in this location and either the wetlands setback would be encroached upon, or the driveway would have to be crossed. Mr. Hingorany disagreed with Mr. Osgood concerning the need for a pump as well as the price of the pump. He was concerned that with the proposed LUA's Mr. Ahuja would be restricted from any possible future plans such as a pool because of the setback to the property line. Mr. Hingorany also believed that a stamped survey of the property should be done. Mr. Osgood stated that he did a survey as required by Title V.

Ms. Linzer stated that in the past, the Board had an estimate of the cost and felt that at this time there was not enough information concerning the cost. She wanted Mr. Osgood to come back to the Board at a later time with the cost estimates and a design that eliminated the property line setback LUA.

*Motion by Dr. Dwarakanath, seconded by Ms. Linzer, to approve the LUA's: 10' SAS to house foundation, 20' required; 5' SAS to Cabana, 10' Required; 5' tank to house foundation, 10' required; 5' tank to Cabana, 10' required.*

*The LUA for 8' SAS to Property Line, 10' required is not approved and should remain at 10'.*

*The Motion was opened up for discussion.*

**Discussion:** Ms. Linzer stated that she wanted Mr. Osgood to come back to the Board with cost estimates. She wanted him to see if the system could fit within the property line. She also wanted to see the cost involved with moving the septic system to the front of the house where there is more room. Mr. Osgood agreed to the terms that she requested.

*Dr. Dwarakanath withdrew his original motion.*

*Motion by Dr. Dwarakanath, seconded by Ms. Linzer, to require the Engineer, Mr. Benjamin Osgood, to get more information regarding the cost from an approved source with real monetary*

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<sup>1</sup> Copies of the photographs have been added to the Agenda Packet after page 15.

numbers as well as alternate proposals to decrease the amount of Variances listed above. Unanimous approval.

- **266 Salem Street – Allow Sieve Analysis in Lieu of Percolation Test** – Mr. Carbone explained that due to the water table being too high, a Perc Test could not be done on this property. Instead, a sieve analysis was performed to identify the type of soil that exists there, and the system has been designed in accordance with the state guidelines used in this type of variance. Mr. Carbone recommended approval of the LUA.

*Motion by Ms. Linzer, seconded by Ms. Dymond to approve LUA to use Sieve Analysis in Lieu of Percolation Test for 266 Salem St. Unanimous approval.*

## **VII. Staff Reports**

### **A. Director's Reports:**

- **Important Dates:**

- June 17 – 26, 2016, Director's Vacation
- July 11, 2016 at 6 p.m. – Board of Health Meeting
- July 22 – 31, 2016, Director's Vacation
- August 15, 2016 at 6 p.m. – Board of Health Meeting
- September 12, 2016 at 6 p.m. – Board of Health Meeting

**B. Nurses' Report for May, 2016** – The May, 2016 Nurses' Report will be in the July 11, 2016 Board of Health Agenda Packet.

**C. Inspectors' Reports for May, 2016** – The Inspectors' Reports were for informational purposes only.

## **VIII. Board Member Reports**

- N/A

## **IX. Adjournment**

*Motion by Dr. Dwarakanath, seconded by Ms. Linzer, to adjourn at 7:20 p.m. Unanimous approval.*