

ANDOVER BOARD OF HEALTH
Minutes
July 11, 2016, 6 P.M.
CD&P First Floor Conference Room
36 Bartlet Street

The Board of Health meeting was called to order at 6:01 p.m. Present were Dr. Dwarakanath, Chairman, Ms. Pamela Linzer, Vice Chairman, Ms. Carolyn Dymond, Clerk, and Mr. Thomas G. Carbone, Director of Public Health.

I. Approval of Minutes

- **June 13, 2016**

Motion by Dr. Dwarakanath, seconded by Ms. Dymond, to approve the Minutes of the Meeting of April 11, 2016 with the following correction:

- *On page 3, under VI. Plan Review •DWRP- Variances/Local Upgrade Approval, •87 Greenwood Rd...10' Required – first sentence, change "...Mijay Ahuja, to Vijay Ahuja..."*
Unanimous approval.

II. Appointments & Hearings

- **Reorganization of the Board** – Mr. Carbone explained that the Board annually reorganizes in July in case any changes are desired. Ms. Linzer and Ms. Dymond decided they did not want the position of Chairman at this time. Dr. Dwarakanath stated that he would remain Chairman for now, but may retire from the position at a later date.

Motion by Ms. Linzer, seconded by Ms. Dymond to keep the current status of the Board as Dr. Dwarakanath, Chairman, Ms. Linzer, Vice-Chairman, and Ms. Dymond, Clerk, until such time that Dr. Dwarakanath decides otherwise. Unanimous approval.

- **Reappointment of Staff** – Mr. Carbone explained that Staff Appointments are done yearly in accordance with the provisions of M.G.L.c. 111, §30. He explained that he added a Nurse, Sharon Thomson, and realized that Joanne Martel, R.N., Assistant Director of Public Health should be changed to Joanne Belanger, R.N. (**Change is made below**). He recommended that the Board approve the following appointments to be effective July 1, 2016 through June 30, 2017, and beyond as necessary:

A. Permanent Staff

Thomas G. Carbone as Director of Public Health
Joanne Belanger, R.N. as Assistant Director of Public Health
Daniel H. Tremblay as Sanitarian
Patricia Crafts as Health Agent.
Jane Morrissey, R.N. as Public Health Nurse
Ronald Beauregard as Agent (Healthy Communities Tobacco Control Program)

Robert Douglas as Agent (Conservation Director)
Linda Cleary as Agent (Conservation Agent)
Richard Danforth as Agent (Plumbing Inspector)
David Dargie as Agent (DPW Construction Engineer)
David Nichols as Agent (Medical Reserve Corps)
Anthony Turiano, M.D. as Board of Health Physician
Wayne Nader as Agent (Animal Control Officer & Animal Inspector)

B. Contract Staff (on call as needed)

Alfred Scolio as Agent (Food Inspector)
Michelle Grant as Agent
Charlene Gagnon as Public Health Nurse
Nanci MacKenzie as Public Health Nurse
Sharon Thomson as Public Health Nurse
Rita Casper as Public Health Nurse
Susan Sawyer as Agent (Tewksbury Health Director)
Brian Lagrasse as Agent (North Andover Health Director)

- C. Emergency Appointments** – In accordance with the provisions of M.G.L.c. 111, §30, the Board of Health hereby authorizes the Director of Public Health or the next person in succession to make emergency appointments of Health Agents with the verbal approval of the Chairman of the Board of Health or a member in succession, and the Town Manager. Said appointments shall expire in 7 days unless otherwise extended by the Board of Health, and shall be for emergency purposes only.

Please note that this final section is intended to ease the use of mutual aid services from other communities in the event of an emergency requiring swift response. It transfers the Board's authority to those responding agents and legalizes their actions. Said responding agents will be under the direction of a permanently appointed agent.

Motion by Ms. Linzer, seconded by Dr. Dwarakanath, to approve the annual appointments with the addition of Sharon Thomson as Public Health Nurse, and the change of Joanne Martel, R.N., Assistant Director of Public Health to Joanne Belanger, R.N., Assistant Director of Public Health. Unanimous approval.

- **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

- **Housing complaint at 4 Powder Mill Square, Unit 103 per Correspondence Dated July 7, 2016** – Mr. Carbone explained to the Board that there was a complaint concerning mold issues and that Health Inspector, Daniel Tremblay inspected the property. Repair work is now going on and the tenant has been informed of the work being done.

- **New Wading Pool Review for Andover Country Club per Correspondence Dated July 11, 2016** – Mr. Carbone explained to the Board that the wading pool should be ready to open in the Spring. A separate phone will be needed for this wading pool.

IV. Old Business

- N/A

V. Subdivision Definitive Plans

- **0 Fleming Ave. – Preliminary Subdivision Plan** – Mr. Carbone stated that there is currently a subdivision off Fleming Ave. and that Andover Consultants is proposing to improve part of the roadway, extend the road and add thirteen housing lots. The applicant needs to address noise issues for the homes in the area because the railroad tracks are nearby. A sound barrier should be given some consideration. Part of the sewer is beneath the seasonal high water table and needs to be protected from groundwater infiltration. There is also an issue with storm drainage that needs to be addressed. Mr. Carbone recommended disapproval of the Preliminary Subdivision Plan.

Motion by Ms. Dymond, seconded by Dr. Dwarakanath, to recommend disapproval for the following reasons as laid out in Mr. Carbone's Memo of July 5, 2016:

- 1. A portion of the sewer (between Stations 1+00 and 4+30) will be located beneath the seasonal high water table; the design engineer should consider how that portion of the sewer system will be protected from groundwater infiltration.*
- 2. It appears that storm drainage will be treated with sediment bays instead of concrete pretreatment structures; the engineer should be advised that all sediment collection areas must be accessible by vehicles in order that they be maintained.*
- 3. The development abuts an active railroad line carrying both freight and passenger service; consideration should be given to providing sound barriers between the proposed homes and the tracks. This would provide an additional benefit of fencing the tracks from easy access as a safety measure.*

The motion to disapprove was unanimous.

VI. Plan Review

A. D.W.R.P. Variances/Local Upgrade Approval:

- **87 Greenwood Road – 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** – Benjamin Osgood, Design Engineer, was present to represent the owner of the property. Mr. Carbone stated that this is back on the Agenda from the last meeting because the Board wanted to see a cost estimate for moving the system to the front yard, as well as the

hope that the LUA for the property line setback would be addressed and taken away. Mr. Osgood stated that he did go back and rearrange the layout of the system so a 10' offset to the property line can be maintained, so that LUA request has been eliminated. The other LUA's remain in place. Soucy's Septic Service, Inc. has provided a cost estimate of an additional \$12,100.00 to relocate the system to the front of the yard, which included trenching, digging up pavement, and other associated costs, in addition to the original cost of the system. There is a shower in the existing cabana that will have to be tied in also. Mr. Carbone asked Mr. Osgood about the concept of offsetting the tank to eliminate the need for the tank to foundation LUA. Mr. Osgood replied that that is where the existing tank is and it would have to be taken out, which can be difficult because that area is very confining to get the backhoe into, but he could speak with Mr. Soucy to see what could be done if Mr. Carbone wanted him to do that. Mr. Carbone stated that one of the options the Board could do would be to grant the LUA with the request that if full compliance can be met on that setback, it should happen.

Motion by Ms. Linzer, seconded by Dr. Dwarakanath, to approve the LUA at 87 Greenwood Road to allow 10' SAS to house foundation, where 20' is required; 5' SAS to Cabana, where 10' is required; 5' tank to house foundation, where 10' is required; 5' tank to Cabana, where 10' is required, with a request to move the septic tank to meet full compliance, if possible.

Discussion followed because Ms. Dymond wanted to discuss the other requirements Mr. Carbone had requested. Mr. Carbone suggested putting his other conditions into the motion.

Motion by Ms. Linzer, seconded by Dr. Dwarakanath, to amend the original motion to include the following conditions:

1. *All system components shall be located at least 10' from the property line*
2. *The excavation wall shall be lined with a 40 ml. plastic barrier to elevation 99.0*
3. *The following inspections shall be required:*
 - a. *Excavation with no fill*
 - b. *Bed Bottom*
 - c. *Final Inspection*

Mr. Osgood stated that he thought the elevation 99.0 was incorrect, and asked that it be changed to 92.0.

Motion by Ms. Linzer to amend the amended motion, seconded by Dr. Dwarakanath, to change the plastic barrier from elevation of 99.0 to correct elevation of 92.0 Unanimous approval.

- **6 Lansbury Lane – Allow SAS to be 3.1' above the Water Table, 4' Required -** Mr. Merrill, owner of the property, was present. Mr. Carbone explained to the Board that the 4' setback to the water table cannot be met without the addition of a pump which would add an additional cost to the homeowner. Since it is far enough away from the wetland, Mr. Carbone recommended the Board approve the LUA.

Motion by Dr. Dwarakanath, seconded by Ms. Linzer, to approve the LUA at 6 Lansbury Lane to allow SAS to be 3.1' above the water table, where 4' is required. Unanimous approval.

VII. Staff Reports

A. Director's Report:

- **Important Dates:**
 - July 22 – 31, 2015, 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 and June, 2016 – The Nurses' Reports were for informational purposes only.

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

VIII. Board Member Reports:

- **Pomps Pond Issues (Not on Agenda)** – Ms. Linzer brought to the attention of the Board Members and Mr. Carbone that she heard that there was a rescue at Pomps Pond when a child was trying to get out on a ladder and since it was so crowded, he could not get out. This happened right after the Board had a discussion about the use of Lifeguards. Mr. Carbone stated that he would check in with Kim Stamas, Director of the Department of Community Services, to see if she needed anything from the Board. He also informed the Board that all testing for bacteria numbers have come in satisfactorily. The Water Treatment Plant does the sampling, and Mr. Carbone gets the results within a day.

IX. Adjournment

Motion by Dr. Dwarakanath, seconded by Ms. Dymond, to adjourn at 6:36 p.m. Unanimous approval.