

13. Correspondence
14. Sign Invoices
15. Adjourn

**Minutes of Regular Session  
Lynnfield Board of Health  
Thursday, November 12, 2020**

**Present:**

**Dr. Rocco Iocco, DMD, Chair  
Dr. Gail Link McCausland, DMD, Vice Chair  
Kristin Esposito McRae, RS, Health Director  
Maria Welsh, Recording Clerk**

**Roll Call: Above names were present during remote Zoom meeting.**

**Attendees:**

**William Bruce  
Michael Feinberg  
Joseph Serwatka  
Peter Ogren  
Derek Skillings  
Jon Whyman  
Craig Marchionda  
Paul Marchionda  
Audrey Hickman  
Rich McCarthy**

**Kristin McRae Opens with Massachusetts State Governor Baker's updated order on COVID-19:  
Kristin McRae Reads Governor's remarks pursuant to meetings during COVID-19:**

NOTE: Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, and his March 15, 2020 Order limiting the number of people who may gather in one place, the meeting of the Lynnfield Board of Health will be conducted via remote participation. The public may not physically attend this meeting, but every effort will be made to allow the public to view and/or listen to the meeting in real time. Persons who wish to do so are invited to go to Join Zoom Meeting:

- **1<sup>st</sup> Agenda item - Regular Meeting of the Board of Health Call to Order**  
**5:35 November 12, the Regular Meeting of the Board of Health was Called to Order by Dr. Iocco.**

## **2<sup>nd</sup> Agenda item Minutes from October 8, 2020**

Vote to approve minutes from October 8, 2020 meeting:

**Dr. Iocco** reviewed and has no objections prepared to make a motion to accept.

**Dr. McCausland** seconds the motion to accept as written.

Approval unanimous Vote: 2:0 Roll Call Vote.

## **3<sup>rd</sup> agenda item - 28 Alexandra Road – Title 5 Needs Further Evaluation**

**Kristin McRae** – opens the topic and calls on Michael Feinberg (MF) – Owner, A title 5 inspection performed on septic system initial inspection was marked as conditionally passes with need to replace the Distribution box. But there was some confusion over the leeching field - Outdated Orangeburg pipe – not sure what part was collapsed or obstructed and needed more clarification.

Revised and resubmitted report marked conditionally passes still needs D-Box replacement but, needs further evaluation by approval authority, marking areas where lines are not full length as designed system would function with replaced D-Box but would not function fully as designed but does take water

In addition, there is a discrepancy in the BR count. The permit was issued for 4 bedrooms, the site has 5 BR – assessor has it listed as 6 bedrooms – capacity issue

**Michael Feinberg** – Inspector is not here – also said he has no other information or input

**Michael Feinberg** – Inspection done in September, have had a hole in yard since September, where the D-Box collapsed

Initial plan – with initial Title V submission that was a conditional pass was replace D-Box, re-hook up and test for function per initial Title V criteria

When filed, permit was denied, now 2 months later there is a hole in the ground and we're concerned about ground freezing – Had house on market – now pulling off – Every buyer is concerned about the septic – Feel it is a health and safety issue for family – concerned about ground freezing – would like to move forward with replacement of D-Box and check function of system to see if it meets Title V.

**Kristin McRae** – No denial of permit – it was not clear as to what part of the D-box was collapsed/obstructed



**Dr. Iocco** Acknowledged the hole is a mess, older piping is the concern especially with winter upon us. Title V inspector could not find total pipes/ linear footage needed to operate in compliance – asks what inspector has said about the pipes and what he found.

**Kristin McRae** – Leaching field, Orangeburg pipes old design cannot be replaced – need new system design If system is functioning - 3 of the lines shorter than they are supposed to be per plan – may be functioning, but what capacity does it have with the length shortfall as well as the bedroom discrepancy, what to do with that

**Michael Feinberg** – requests to discuss as 2 separate issues

**Dr. McCausland** – If D-box is fixed is there a possibility that it may not pass another Title V inspection after D-box is fixed?

**Kristin McRae** – Only if requested - if lines are fine the D-box would be replaced and we would confirm the flow. The inspector is telling us that the lines are not fully operational as designed.

**Michael Feinberg** – Inspector said he is unable to ascertain - where damage or collapse is if any, due to the D-box – the plan was to replace the D-box and reconnect and reevaluate.

**Kristin McRae** – That's not what he said to me. The inspector stated after cameraing the lines he found that they just terminated.

**Michael Feinberg** – There was no 2<sup>nd</sup> inspection done. I don't understand how the report got revised.

**Kristin McRae** If the system is not functioning properly at 4 bedrooms there is a problem. A permit was issued for 4 bedrooms, 5 bedrooms may become a separate issue if the system is not fully functioning

**Michael Feinberg** – There hasn't been any problems for my family of 6. I understand permit says 4 bedrooms, however there have been no issues. Original plan was handwritten in 1977 and the calculations for a 5 BR, were initialed and dated on the plans. It's obvious that septic and house were built for 5 bedrooms.

**Kristin McRae** – I can't comment about handwritten plans from 1977 and a permit not being redone.

**Dr. McCausland** – Plan was to replace D-box and then reevaluate with another inspector? Are you looking to have another Title V or just to see if existing system is still working?

**Michael Feinberg** – I plan to replace the D-box and camera the pipes to see how far they went. This would be performed by a Title V inspector or septic contractor.

**Dr. McCausland** – I would assume since you are selling you would want to know about the function of the system.

**Kristin McRae** – There are 2 options – If looking to replace the D-Box, we already know the lines are shorter than they were intended to be. You could do a D-box repair and do a flow test, and if the water takes, we would ordinarily be done. BUT the second piece, knowing that you don't have a 20x50 field because of the lines, the board needs to determine if they accept that or not.

**Dr. Iocco** – Title V inspector indicated flow of 40 gallons (supporting 4 BR) also specifically mentions the pipes and obstructions. His concerns are also my concerns. Therefore we can't go beyond 4 BR and this is tied into the fact the system is not functionally correct and a reevaluation should be indicated after the D-box is replaced.

**Michael Feinberg** – To be honest, I am not looking for more bedrooms. The listing is for 4 BR.

**Dr. Iocco** – Ok so only looking to have this reevaluated after the D-box is replaced.

**Kristin McRae** – If board is accepting, they would repair the D-box and evaluate. Also, a disclosure is needed from the seller to the buyer that there is 4 bedrooms, and that the leeching lines do not have their full capacity. The buyer needs to know this.

**Michael Feinberg** – Is every system that is Title V inspected actually meet 20 x 50 field test, is that checked?

**Jon Whyman** – With respect to the sizing you need to look at how it perked originally. Do you have the design plan?

**Kristin McRae** – Title V inspector is trying to use all their tools to determine if the system is functioning. Orangeburg pipe is structurally not strong. It's an older pipe, brittle, at its end of life. Maybe pipes were not installed all the way initially.

**Michael Feinberg** – As the board considers the question of the reduced field, is that a standard concern of Title V inspection?

**Kristin McRae** – I do believe this is a standard approach.

**Dr. Iocco** – I do have concerns. In situations where a repair or system has reduced capacity, that's where we look at alternate technology. I appreciate that it seems to be functioning at this point. If replacing the D-box then an additional inspection needs to be performed.

**Kristin McRae** – If the D-box is replaced, then the inspector comes back, are you asking for a new Title V?

**Dr. Iocco** – Yes. If original inspector approves function conditionally based on the evaluation.

**Michael Feinberg** – I will not be using the inspector he used. I will be using an engineer for the new inspection. The original inspector is not responding and I will not use him again. We'll perform a new inspection as needed either before or after the D-box is replaced

**Kristin McRae** – Excellent you'll still need a disclosure to the buyer of the house being 4 BRs.

**Dr. McCausland** – I agree with the evaluation and D-box replacement as long as the buyer is aware.

**Dr. Iocco** – Ok. Kristin is a vote is needed on this?

**Kristin McRae** – Right now the permit would go to original inspector - he submitted the check, are you wanting to change to a new person? Do you have someone from our Lynnfield approved list?

**Michael Feinberg** – A new engineer and new installer will be used for D-box repair and new Title V report

**Kristin McRae** – So after repair you will provide a letter or some evaluation after the repair/replace is made correct?

**Michael Feinberg** – Correct, and if the board wants to specify if a letter or a new Title V report is needed, it is up to them.

**Dr. Iocco** – A new Title V report would be more comprehensive.



**Dr. McCausland** – I agree.

**Dr. Iocco** makes a motion that 28 Alexander be authorized to replace the D-box by a licensed installer and have a new Title V report submitted to the board and also realizing this is all for a 4 bedroom with no increase in flow.

**Dr. McCausland** seconds the motion

Roll call vote:

**Dr. Iocco**                      Yea

**Dr. McCausland**          Yea

Vote recorded as unanimous.

**Kristin McRae** We would need new application submitted. The \$65.00 fee and previous submittal would be returned to the prior installer just so you know the steps to take just so you know, if previous check hasn't been cashed, we can return the check.

**Michael Feinberg** – Ok, thank you

**Dr. Iocco** – Thank you

**4<sup>th</sup> Agenda item - Lot 17 Janet Way – New Construction, Water Supply Certificate**

**5<sup>th</sup> Agenda item - Lot 18 Janet Way – New Construction, Water Supply Certificate**

**Dr. Iocco** – Asks, if we can do both of these at the same time?

**Kristin McRae** – They might be tricky to do together. They have separate water test results, so maybe we can make a summary recap together. Voting on water supply certificates might need to be done separately.

**Kristin McRae** Owner / developer asked to move entire project of 2 lots dealing with building, septic, and well forward – Regarding building applications, there is only one application for lot #18 Lot #17 is missing a cover review sheet but more importantly neither sets came with floor plans.

I couldn't sign building application for #18 and #17 is missing an application entirely.

These pieces can be easily resolved by submitting applications. The bigger issue is without septic and water supply established, no building permits can be submitted.

The septic part is done with no outstanding issues on the septic plan designs. The project is now hinging on water testing and getting water supply certificates. We're not there yet. We do not have everything needed, and one well site needs retesting. Some parameters on both sites need testing.

That's where this is at. New construction and new domestic drinking water wells. The board has a choice to request any other additions that seem fitting. In my notes on well completion reports, stepping back a while ago, we were looking to figure out which subdivision was being worked on.

It seems like there are a lot of moving parts here. Will this be the Janet Way piece or a different piece? Also, where did the town conservation and town engineer leave off on their approvals of storm water

drains, and whether there's any fire suppression or life safety. I am referencing back because the town fire department made some recommendations, but if the planning board hasn't accepted those then there are questions on fire suppression safety and standards. The last part here is that we need a licensed installer to complete these pieces.

**Dr. Iocco** - Mr. Bruce, would like to comment or add anything to what Kristin summarized?

**William Bruce** Expresses his frustration on the wait time and not being informed about what is missing. Says this is now holding up a property sale. Submitted plans August 4<sup>th</sup> and hasn't heard of any issues. The new lot is named Sagamore Place. It was called Janet Way but changed a year and a half ago. Mr. Bruce asks why there isn't a checklist of what needs to be done, signed off on, and other requirements. Why is he being told now that he needs additional tests? I put the well in 8-10 weeks ago now I'm being told things are missing.

Mr. Bruce wants a permit now, tomorrow, there is no need for information for well testing and directs the conservation to his engineer Derek Skillings.

**Derek Skillings** - Iron and Manganese mentioned does that need to be retested after house is built and water treatment is put in? There is no difference in test now it's just raw water. More important is the Gross Alpha. The Gross Alpha was written in regulations as one of the requirements, but it's not in a table. It was written in a paragraph that was missed. So no Gross Alpha test was done. It was tested recently and it's at the lab. Gross alpha is the more important characteristic.

**Kristin McRae** - I agree that it's the more important test, but I would like to address Mr. Bruce's summary first. Peter Ogren presented Janet Way a long time ago, and even he said that no building permit would be issued before wells were taken care of. That's what's written in the town's well regulations. Nothing has changed or is new from the past.

This project is large, the model well regulations were put out by MA DEP in 2018 and we have abided these regulations since September of 2019. I understand your frustration. However the projects were presented in parts or piece-mealed. I had to ask for everything needed 1) well completion test 2) Pump test 3) Lab reports.

**William Bruce** (explains his frustration) If you asked for it all at once we could have provided it.

**Kristin McRae** - Well completion looks like not completed till October 30<sup>th</sup>. Seems unfair to make into a BOH delay. Pieces are needed to tie these projects together. Some pieces are missing from the water supply certificate. To summarize, no building permits can be issued without water supply certificates. How would the board like to handle this?

**Dr. Iocco** - It is unfair to blame the BOH to tell you what the well regulations are. Whoever is digging wells should be well aware of these regulations put out by the state in 2018.

There is a lot of bedrock, I am concerned about Radon component. Septic will not be an issue but the water supply and report for us is now an issue for us. The project needs to meet state well regulation and town regulation. Not to mention we are just receiving the report now from a test done a week ago. We would like to expedite the process, but you can't wave a magic wand and make it happen without compliance to state and town regulation.

**William Bruce** - What is missing? I would just like to know in a reasonable amount of time what is missing.



**Kristin McRae** – There is a lab report. I pull all lab reports together and review them. I'm finding not all water test results are in. The project came in to us in pieces and some pieces are missing.

**William Bruce** – I still don't know what's missing. Calls to Mr. Skillings to address the issue.

**Derek Skillings** – The items missing from both lots are Gross Alpha and Radon these are the two parameters that are being tested right now.

**Dr. Iocco** – Given the fact that this is on bedrock, and the Radon, isn't that important?

**Kristin McRae** – Yes.

**Derek Skillings** – Every town has a choice of what parameters need to be tested. The state has model guidelines and you choose to follow it exactly or not. Some towns do not require Gross Alpha, but others vary, every town varies. It was missed on our end so a rush was placed on the results to be sent out ASAP. It's all very important, its drinking water. Whether its above limit right now or not, (the DEP set limit) it is still raw water. The only way to see water below the levels is after water treatment is in.

**William Bruce** – My suggestion would be that the board approve my well and notify the building inspector that prior to occupancy, I need to get a test and notify the owner. I need to find out if I will or will not need a filtration system. If needed I will have it installed prior to the occupancy permit.

**Kristin McRae** – Ok, backing up on what is missing, 17 Janet way is missing E. coli results Mr. Skillings was the done and do you have results?

**Derek Skillings** – Yes. A clean result. It states that the report was sent in

**Kristin McRae** – 1 sheet then for lot #17 – E. coli then on lot #18 total chloroform was above standard, it needs re-testing.

**Derek Skillings** – We did retest.

**Kristin McRae** – The other 2 parameters, Gross Alpha and Radon are definitely important. The board needs to have all that information in order to make a decision to go ahead and issue a water supply certificate, if all is in order. Or, the board can deny it and put it in writing as to why. The board can also issue a conditional certificate with conditions that will ensure fitness, purity, quality of water from a private well. It may require more testing. So now, with the information the board has, what conditions could the board actually set with missing information?

**Derek Skillings** – There is already a clean bacteria test.

**Kristin McRae** – Ok.

**Derek Skillings** – I sent you all the parameters that failed bacteria tests and then another showing passing bacteria test.

**Kristin McRae** – When was that sent in?

**Derek Skillings** – October 26<sup>th</sup> 2020.

**Kristin McRae** – There have been multiple strings of emails too, please send this info again. That would be helpful.

**Kristin McRae** – When do you expect the Gross Alpha and Radon analysis back?

**Derek Skillings** – Next week.

**Kristin McRae** – (addresses Mr. Bruce) – If parameters do not trigger anything out of the ordinary then just need your building plans and applications.

**William Bruce** expresses his frustrations about not knowing sooner

**Kristin McRae** explains COVID rates are high and straining resources, and your project has come in in pieces.

**William Bruce** suggests a checkoff list be made

**Kristin McRae** – There is a review form I don't know why it didn't get to you. It is also on the town website and states that a floor plan and a property plan are needed.

**William Bruce** – The building department has those as well (re-expressing his frustration) I need a list.

**Kristin McRae** – You have the email, you have the recap, you can submit that and have that ready with your floor plan and cover sheet. Derick is going to forward us the lab results.

**William Bruce** - What's a cover sheet?

**Kristin McRae** – I sent it in the email on your recap to get ready for this meeting.

**William Bruce** – I will double check.

**Kristin McRae** – Yes, it was sent, print it out and fill it out

**William Bruce** – Sent out on Tuesday?

**Kristin McRae** – Yes

**William Bruce** – I'll take care of it.

**Kristin McRae** – It does say to turn in a floor plan with the site plan.

**Dr. Iocco** – To expedite this process, the bottom line is that if the board could conditionally approve the water supply certificate based on the missing information falling within normal limits. If Radon or algae go over then I don't think the certificate can be granted. I think you'd have to come back for a future board meeting. If results are within normal limits, then a certificate could be granted.

**William Bruce** – Radon has to be treated at the end anyway, Algae, I thought that was resolved, do you mean the bacteria? Derek?

**Derek Skillings** – No, Bacteria was absent, there is no bacteria in the water.

**William Bruce** – Only issue then is the Radon and Gross Alpha, if it reaches higher levels, what can be done?

**Kristin McRae** reads the regulation set by Mass DEP and upheld by the town of Lynnfield, tells Mr. Bruce that these are the pieces he needs to consider for well completion. Water certificate must be issued prior to building.

**William Bruce** - So I assume that addresses the Radon. I'm looking for a certificate now to start construction, prior to occupancy, can these things be dealt with then.



**Kristin McRae** – Yes, I think you are right.

**William Bruce** – So then I should be able to get my certificate tomorrow?

**Kristin McRae** Dr. Iocco and Dr. McCausland can you comment?

**Dr. Iocco** - Dr. McCausland do you have anything to add? It seems that these State issued regulations have become a big deal and since we've adopted them, we cannot make requirements less than the state. We did not make them more stringent, just following as stated in terms of acquiring certificates before occupancy. I am not sure if that is as important if a filtration system is installed. We want to make this speedy but also must be careful. Will set precedent for other properties that will have wells as water supply.

**Dr. McCausland** – I agree on the precedent assuming that something comes back at a high level. How would Kristin handle that? Would you note it? Put a note on the well permit? Where would you note that? I think we are all in agreement that the permit can be issued with contingency. Where would the notation for that go?

**Kristin McRae** – I would want to take it back to MA DEP to find out what they wanted or want to have done with it. If we already have results now, that could be one contingency put on the water supply certificate.

**Dr. McCausland** – So the conditions would be put on the water supply certificate?

**Kristin McRae** – Yes, there can be options put on a water supply certificate.

**Dr. McCausland** – But as of right now, we don't know what the conditions would be because we don't have all the results, Correct?

**Kristin McRae** – Correct.

**William Bruce** – Can conditions be based on end result so that if Radon is above state requirements? It's the responsibility of the builder prior to the occupancy permit, to meet all the issues. The resolution is easy, it's a filtration system to take out the Radon, Mr. Skillings has confirmed this.

**Kristin McRae** You could be looking towards further testing if returns are high.

**William Bruce** – That's alright I'll get it done and come back to the board well in advance, I don't see what it matters as long as contingency is there.

**Kristin McRae** I recommend consulting MA DEP for what suggestions they would accept. One other piece, septic, we will need a licensed installer to come in for those permits. Have you picked an installer?

**William Bruce** – I didn't have an approved plan to show an installer.

**William Bruce** – I think my present site guy is, haven't got that far. I am positive he isn't, can easily be though.

**Kristin McRae** – Deloury construction? They applied and we gave them an exam date and they never showed.

**William Bruce** – I'll deal with it.

**Kristin McRae** – We don't have plans or everything we need. It sounds like you can get them to us by tomorrow. Derick will send the bacteria results in, that should be fine. What should the wording be on the certificate, what conditions with respect to further testing?

**Dr. McCausland** – I am comfortable not holding the builder up any longer, if it all comes next week and its good, great, if it's high, then just a phone call discussion, correct Dr. Iocco?

**Dr. Iocco** – Yes, agreed, just missing pieces here, and we need that information, no need for another board meeting, just do it over the phone.

**Kristin McRae** – Good and helpful solution, you have the list to wrap it up.

**William Bruce** – I assume the list is the same for lot #17 as it is for lot #18?

**Kristin McRae** – Yes, you have it, what I outlined is what I need.

**Dr. Iocco** – Just to review, this is all on our website, I realize this is all out there, doing due diligence prior to the call could have saved us all a lot of time.

**Dr. Iocco** Let's move to the next agenda item, 46 Oakridge Terrace.

Meeting attendee Peter Ogren requests to be recognized.

**Dr. Iocco** acknowledges Peter.

**Peter Ogren** states that he has a prior engagement shortly at 7 and asks that his 2 topics could be moved out in the agenda so he can come back later he plans to be gone 15-20 minutes.

**Dr. Iocco** asks what project Peter has.

**Peter Ogren** responds, Vallis Way (agenda item 8) and 271 Main St. (agenda item 9) – Vallis way is a preliminary plan – 271 Main St. is a definitive plan that tests have been done for. There is a design needed to be looked at it is on the Lynnfield center district water systems. I don't think there are any issues.

**Kristin McRae** – I still think it should be discussed, but it is now a matter of whether Peter would like to return or Dr. Iocco takes this out of order.

**Dr. Iocco** states that Craig Marchionda has just entered the meeting, he is involved in the next agenda item, and recommends we proceed according to the agenda with the next topic - 46 Oakridge Terrace

**Peter Ogren** agrees to return to the meeting later.

#### **6<sup>th</sup> agenda item – 46 Oakridge Terrace – New Construction and Setback from Pillings Pond**

**Kristin McRae** explains 46 Oakridge Terrace is new construction, 2 - 4 bedrooms with a reduced setback to Pillings pond, the requirement to a tributary is 200 feet but this project only allows 100 feet. This requires a request for waiver to Title V regulations. and asks whether the board sees fit to issue such a waiver where we are talking about new construction and not a repair. The benefit is that the project may provide a water service line down Oakridge Terrace which is a benefit to the neighborhood because they all are in close proximity of each other and do not meet their setbacks.

**Kristin McRae** turns the meeting over to the board and to Craig Marchionda.



**Craig Marchionda** – Good Evening

**Dr. Iocco** asks if there is an update on the water supply progress.

**Craig Marchionda** does not have an update – suggests Paul Marchionda may have more info.

**Paul Marchionda** – I do, Mike Doucette, the owner of the lot has been working on getting a water supply down there, he has had negotiations with land owner. He is asking the board to approve the plan subject to having town water, I believe we can do this soon.

**Dr. Iocco** – Ok, very good.

**Paul Marchionda** – I would like to make a correction, Kristin mentioned that the project is 100 feet from Pillings pond. Actually its more depending on how it is measured, one end is about 150 feet the other 120 feet. Clearly within regulations that the board has the ability to grant the waiver for.

**Dr. McCausland** asks for different options to be outlined in regards to this property.

**Paul Marchionda** – Existing water is on Walsh road, down the old Oakridge terrace, this is the closest location, the question is the physical pavement, a small section of the pavement that goes through a property. We have had conversations with the owner of that property about going through with that water line. That property is on the market, I'm confident that the owner or the new owner will want this to happen. The roadway in general is in terrible shape, adding a new water way would result in a better paved road. Walsh road is one option, the other option is longer but still an option, a longer way to go through.

**Dr. McCausland** – What's the possibility that this property will end up with a well?

**Paul Marchionda** – No possibility unless some unforeseen problem getting water there then we revisit the board to revise the permit to a well instead of water line. It would limit the lot significantly. The permit could say that it has to be on town water.

**Dr. McCausland** – This is a significant upgrade to the property, and would be a reason to go ahead.

**Paul Marchionda** – I agree.

**Kristin McRae** agrees bringing water down to that whole street would be great, more environmentally protective. However she does not want a precedent set that every house on Pillings Pond that wants to upgrade the number of bedrooms would be granted town water. Descision must go on a case-by-case basis. You must go through your process too which is following 15.402 which references 15.410 – 15.417. She asks if the property has considered an advanced septic treatment, can a FAST system be added to give advanced treatment.

**Craig Marchionda** asks what needs to be treated?

**Kristin McRae** – Nitrogen, remove as much as you can and have effluent as clean as possible before it flows to the leeching field.

**Craig Marchionda** – It's not located in a Nitrogen sensitive area, I reviewed title V – MA GIS Oliver today, its not in zone 2, not in an interim well head area.

**Kristin McRae** – The set back from a tributary does not meet the 200 feet only the 100 feet. 100 is the minimum for local upgrade actually, the slightest amount more and no authority would be allowed to

grant a waiver. You would have to go to MA DEP. I ask because this would help the board make the decision.

**Paul Marchionda** – Setback to tributary water supply isn't defined as a nitrogen sensitive event. There is still a lot of controversy calling Pillings pond a tributary. The water from Pillings Pond flows into the Saugus river, most of the water then goes to the Atlantic ocean. There is an ability to transfer water into the Hawks water supply. As far as I know there has been absolutely no changes made to the drinking water regulations since a previous project from a few years ago, Lynnfield treats Pillings pond with toxic chemicals. That isn't done to any tributary to a water supply. I think the variance should be granted for many reasons including getting a water line in there, we are well over 100 feet from the pond.

**Kristin McRae** – MA DEP did give us a clarifying letter that it is a tributary and not a question any longer because it came from the state.

**Paul Marchionda** – Same letter I saw a long time ago, unless it's a different letter, and it says that the board can grant the waiver if at least 100 feet, the board should grant the waiver.

**Kristin McRae** – The board understands and knows they have the authority, at least 100 feet, can be granted, now it is really left up to the board, does the board have any questions?

**Dr. Iocco** – Is that the only variance you're looking for? The setback to Pillings pond?

**Craig Marchionda** – Yes, due to the location of the lot, can't do much about it.

**Dr. Iocco** – Is there a cesspool there now?

**Craig Marchionda** – Yes, in the front yard.

**Dr. Iocco** – What are the actual distances from the leaching field edge and the pond. Is it 125 feet or more, or less?

**Paul Marchionda** – It's more than 100 feet on both ends, further on one end than the other end.

**Craig Marchionda** – Shortest end, the SE corner of leach field closest to the pond, it is about 115-120 minimum, the other side is between 140 and 150 feet.

**Dr. Iocco** asks if these numbers account for the pond's natural shifts in water levels.

**Craig Marchionda** – Top of bank as surveyed in the field, and slightly uphill from that is the 100 year flood elevation which is a 98, which is maybe 10 feet closer to the lot and top of bank.

**Dr. Iocco** – Based on water supply, water coming in and replacement of septic system, within 115-120 feet, I am ok with this. Contingent upon the water supply going in. You'd be coming back to us anyway if that didn't go through.

**Dr. McCausland** – As long as plan is contingent on water supply, I am fine.

**Dr. Iocco** – If that's the only variance may I make a motion to vote on this?

**Kristin McRae** – Yes

**Dr. Iocco** makes a motion to grant the variance less than 200 feet from a tributary water supply at 46 Oakridge Terrace contingent upon public water supply being installed.

**Dr. McCausland** seconds the motion



Roll call vote:

**DR. Iocco**                      Yea

**Dr. McCausland**              Yea

D. Iocco asks for 45 lakeview

**7<sup>th</sup> agenda item – 45 Lakeview Ave – Variances and Local Upgrade Approvals**

**Kristin McRae** – A number of issues, 2 variances and 7 waivers under local upgrade approval

Email summarizes position, and I can turn over to the presenter of the topic to tell us where the project is going.

**Joseph Serwatka** – 45 Lakeview is an existing 3 family home on town water, was served by an existing cesspool approximately 30 feet from the pond. The lot was approved for a tight tank, we were asked to review for a Title V system to see if it could fit. After much work we came up with this infiltrator system sized for Title V but needing variances, a couple of which may be state level. I will talk to Claire Golden about that. It is sized as big as it can go, as far from the lake as we can go, we are at the edge of the property and we are more than doubling the current 30 feet that is there now.

**Dr. Iocco** asks if this is the property that was approved for a tight tank 2 years ago.

**Kristin McRae** acknowledges and states that the house is being renovated, not occupied and though approved the tight tank has not been installed.

**Dr. Iocco** – What are the specific variances being sought?

**Kristin McRae** – The excerpt of the plan lists waivers 1-9, mostly setback waivers to foundation and property line, due to tight constraints.

**Dr. Iocco** – So a lot of these setbacks are really not an issue or large concern?

**Kristin McRae** – Well its going from 20 to 6 and a couple of them are going down to 2.

**Joseph Serwatka** – I believe the tight tank had a 2-foot offset to the property line, either way it is tight on a small lot and the owner is willing to take down the garage to put a system in.

**Kristin McRae** talks of a property last meeting using a FAST system for a 50% reduction in size and even a separation to ground water, asks why wasn't an advanced approach recommended here?

**Joseph Serwatka** – We looked at everything we could and we can't even fit a Presby on the lot. Most alternate systems require pumping and I can't even fit a pump chamber on the lot.

**Kristin McRae** – But the last case showed a 50% reduction in footprint. I think it could work.

**Joseph Serwatka** – We can take a look at that if you will consider that.

**Dr. Iocco** raised the fact that the variances are significant. Number 7, from 200 to within 65 feet to the pond, that's a DEP variance, something we can't approve at the local level.

**Joseph Serwatka** – I believe that Clair Golden is not looking at variances anymore they are being handled on a local level.

**Kristin McRae** – It also says in the regulations that the local authority can not approve that, we do not have the authority to approve that.

I think that might be why the previous engineer might have ended up with a tight tank despite not being desirable. I don't know if MA DEP is going to grant those variances which is why it might be worthwhile to look at some of the advanced systems to see if can reduce footprint to get components 100 feet from the pond.

**Joseph Serwatka** – Well we can't get anything 100 feet from the pond, the whole lot is less than that. I'll check with Claire / DEP to see if they will entertain the current location and if so, then I assume the town would consider it.

**Kristin McRae** – So I think this will have to come back to a future meeting.

**Jon Whyman** – I have installed many advanced systems and I want to stay away from the complications associated with them, the maintenance warranty, breakdowns. This approach is the most reliable approach, there is no way we can fit a FAST tank and a regular septic tank. I'm comfortable with the way it looks. I may need to tweak the location of the D-box, there is also a wall on the Northern point that will be moved in for the abutter so we can keep the driveway where it is. Keep in mind that we are right on the edge of the 100-foot buffer so it's not like we are at 50 feet, 76 is the closest point.

**Jon Whyman** – I would concur with John, I'm not comfortable reducing the field with the FAST, I would rather go with a Title V system but again its up to the board and the state.

**Kristin McRae** – Yes, I agree, I think they put that technology out there for when you are up against all those waivers. But I do have a question about whether the plan allows for any parking on site, there is a retaining wall and the system is not H2O loading.

**Jon Whyman** states that there is a paved two car driveway to the right side of the house.

**Kristin McRae** – For coming back to a future meeting, please review the comments we gave and consider how run off will be handled to avoid the street or abutters.

**Joseph Serwatka** – Actually an improvement, current paved area would be crushed stone or grass, so reduced.

**Kristin McRae** – And need to notify the abutters, the town engineer would be the one for Lakeview Ave. and the other neighbor, one you need to close the cesspools so you need to go over the property line to effect, and I think there is a gas line there to look out for. So, they need to be notified 10 days in advance. If you can make that a point it is important to make sure they are involved.

**Joseph Serwatka** – They are well aware and we have been before the conservation so we will be sure to notify them and will be in touch with Claire Golden.

**Paul Marchionda** – I am working with the DeGrassos, the next-door neighbor, they are open to the topic. I think the solution to the driveway issue is that I may need a reconfigure of some of the chambers. The DeGrassos may be willing to grant some easement or some land to avoid loss of driveway access. There is also a tree that may need to come down but I'm working with them.

**Dr. Iocco** – Thank you, I think that Kristin's concerns about the abutters are well founded.

**Kristin McRae** – Ok so you will be in touch with me about your findings?



**Joseph Serwatka** – Yes, we will

**Dr. Iocco** – Kristin it is about 7:17, I thought that Peter would be back by now should we move on with the next topic item #10, COVID-19 Updates?

**Kristin McRae** – No. No one's in the waiting room let's move on

Revisit to:

**8<sup>th</sup> agenda item - Vallis Way, aka 109 Lowell St, Preliminary Subdivision Plan – placed on hold**

**9<sup>th</sup> agenda item - 271 Main Street, Definitive Subdivision Plan Road A – placed on hold**

\*Meeting is paused-Dr Iocco retrieving/charging battery\*

**Mr McCarthy** joins the meeting and interrupts the agenda

**Mr. McCarthy** has questions about retrieving public information on Vallis Way project and where he can find it online or at the Town Hall.

**Kristin McRae** – The Planning Board will be taking the lead on that project for now. This is the 1<sup>st</sup> notification to the BOH on Vallis Way. Perk testing was done and the Planning Board has more extensive information on this than we do. They have Vallis Way on their Planning Board agenda.

**Dr. Iocco** returns

**Mr. McCarthy** addresses Dr. Iocco and asks will Vallis Way be brought up again in this BOH meeting.

**Dr. McCausland** – Nothing was done without you. This is an abutter to Vallis Way project. Mr. McCarthy us Just asking where the project stood at this time.

**Dr. Iocco** – Is that the Boston Clearwater Property?

**Mr. McCarthy** – No I am on Mohawk.

**Dr. McCausland** – So, Moving on to #10 COVID-19 Updates. If Peter returns, will we accept #8 & #9 of meeting agenda? Or, should he reschedule.

**Dr. Iocco** – It's 7:25PM now, Peter said he would back in 15 minutes. If this is nothing pressing or time sensitive...

**Kristin McRae** – I was hoping Peter would return. All I can say or add is that we had perk testing done and witnessed.

**Mr. McCarthy** – Is Peter the owner or the builder?

**Dr. Iocco** – He is the Engineer.

**Dr. McCausland** – Engineer from Hayes Engineering.

**Kristin McCrae** – Let's go on to the other updates and circle back to these items. Definitely would be a preference if Peter does come back to address these items. Reaching out to Emilie Cardemartori will be a

good idea. She can give you information on different perspectives. Also, when subdivisions are done, we do end up getting the individual septic plans, so there are still some steps along the way.

**Mr. McCarthy** – Ok. Thank you.

#### **10<sup>th</sup> agenda item – Covid-19 Updates**

**Kristin McRae** – As you know, we are using a color-coded map that the state devised showing where we stood and Lynnfield was in the red a handful of times. This last week, they changed the metrics. They placed us in yellow. This doesn't mean that cases are lower. In fact, we are seeing an influx of cases. We have some impact at schools with confirmed cases and close contacts being take out. This does not necessarily mean seeing transmissions through schools. There are cases, and COVID is on the rise here in Lynnfield and also in the Commonwealth.

It's been a strain, making my work schedule now 6-7 days/week. It is climbing back up there and the concern is we have a pretty lean staff. Sandy Wilson is feeling it too. We are sending cases to the Contact Tracing Team. Cases that are closer to the school system are being handled in house. BOH is very stretched and very busy. Overall, cases are on the rise. I don't know if there is something specific you would like to do or discuss. I did send out to Town Administration and Emergency Management Team. If we are going to do Contact Tracing, we will need more funding or rely on state Contact Tracers which we do not get charged for. An answer back on that is pending. Are there any particular questions you may have?

If there are no questions, we can move on to Flu Clinics / Planning.

**Dr. McCausland** – I am good with that.

**Dr. Iocco** – I am good with that. It is a difficult period and we just have to stay with it. I know we talked about a public health care nurse, and the school nurses are helping to some extent is that correct?

**Kristin McRae** – School nurses that were brought in the spring, still have access but are not being utilized at this time. They're back in their hybrid model now that schools are in session. We do have a school liaison that was hired specifically as a go between for the schools and Emergency Management. That line of communication is working out well. The system we put into place the collaborative idea was a unanimous decision. Also, parents are being very good about self-reporting to the liaison, and the liaison communicates with BOH. We see the cases as they come in, helping us connect all the dots. The communication flows very well. I am hoping that she can take the next step in the Maven system that we use but she expresses that she already is at full time status. Initially she was meant for part-time status. I don't know if she's thinking of taking on anymore or, where we stand with that.

**Dr. Iocco** – OK, we can move on to Flu Clinics.

#### **11<sup>th</sup> agenda item – Flu Clinic Planning**

**Kristin McRae** – We did 2 children's flu clinics with help from the school nurses using the state supplied vaccine. After the 2<sup>nd</sup> clinic, schools began to realize it was a lot of work on them so they are invoicing us for the amount \$1,160. We are being granted close to that amount to do flu clinics from our regional



partners. I believe I can submit this invoice to them and have it paid through the grant there. Then, funds from this piece will be exhausted. School nurses expressed that was the last clinic that they can do.

Because they do not have the capacity to do another. I think they feel many of the students have had their flu shots as well as adults. Regarding adults, you did ask me to take it back to town hall for first responders and critical staff. Emergency Management accepted that assignment, They're spearheading that and bringing on CVS to do the first responders and are critical structure to town hall. they are trying to keep the logictisc compliant with COVID regulations.

Sandy asked if she could do children's clinics on Tuesday evenings by appointment, which limits the amount of people coming in. My concern is that the office is not set up for something like this, so using the hallways after Town Hall hours with an assistant to handle the influx of people coming in, and also when town hall is closed. Not sure where we stand on this. So, Dr. Iocco, would you like me to work with Dr. McCausland with these pieces to alleviate all the things I to you for because you're Chairman? As we delve into details it be nice if I had one of you to go to with questions.

**Dr. Iocco** – Yes. I would love to defer that to Dr. McCausland if you are will to take that on?

**Dr. McCausland** – Certainly. I think you've done enough so...

**Dr. Iocco** – Thank you. The invoice of \$1,160 is that for the nurses? Janitorial services?

**Kristin McRae** – That was just for the nurses. I'll share that invoice with you and share it with the entity that gave us the grant. Also, I will look into how to pay it and get reimbursed.

**Dr. Iocco** – Ok, Very good. Should we go on to other business or go back to Vallis Way even though Peter is not here?

**Kristin McRae** – If we go back to Vallis Way, I can show you the email that I sent. I believe it's in the packet. J. Kimball is legal counsel representing and Peter Ogren is the Engineer for this project. They sent a notice that they had filed. What I have is receipt of submission of a preliminary subdivision plan, Vallis Way from J. Kimball. I had the question about water supply, public or private. If public, find out any concerns or logistics that need to be worked out with thewater district. If private wells, BOH will have to be much more involved, permitting authority on these wells. Soil tests: Perk test. Perk tests were rapid, so that indicates that they are at fast perk rates – Last tests were: lots 3, 4, 5, 6&7.

I think one of the lots has a house on it, the lot located at #109 Lowell St. I was wanting to hear the answers to water supply questions and other information. J. Kimball and Peter Ogren wanted to provid. To let us know where they stand on planning conservation and zoning.

**Dr. Iocco** – How many total lots? 6?

**Kristin McRae** – Not sure if it's 6 and the addition of the one that exists makes 7. Yes, I do think the net total is 7. We haven't received septic plans yet. They are saying that they're in their preliminary phase. The letter reads: "Please be advised that on October 14<sup>th</sup>, 2020, I filed with the Lynnfield Planning Board, a form or application for a preliminary plan dated October 7<sup>th</sup>, 2020, by Hayes Engineering."

**Dr. Iocco** – The septic system must be in full compliance. So, it's just the water supply in question or another possible concern?

**Kristin McRae** – Yes.

**Dr. Iocco** – Does one of these lots abut or several lots?

**Mr. McCarthy** – I am not sure what their configurations are. I am on 4 Mohawk, on the edge of the left-hand side. The longer side of my property abuts the other property. I am not sure if my property abuts 1 or 2 of the lots. I don't think it's 3.

**Dr. Iocco** – Do you have specific concerns?

**Mr. McCarthy** – I am here to learn because I don't know exactly what's happening, so that creates concern as a home owner and other issues perhaps, I don't know how the process works or time frames. I just have no idea how these things go.

**Kristin McRae** – Emilie Cademartori will be able to give you a better sense of timing. I'll give you Emilie's telephone number and also my telephone number for questions.

Emilie's is 781-334-9490 and mine is 781-334-9480. Also, as they file items like public records, Maria can assist you with a file review, and of course Emilie can assist you with plans that she will be receiving.

**Mr. McCarthy** – Thank you. This has all been very educational.

**Kristin McRae** – Maybe go on to 271 Main Street? Is there anyone in the waiting room?

Has Peter returned?

**Maria Welsh** – No. The waiting room is empty.

**Dr. Iocco** – So, Peter had to step out, we continued the meeting to see if Peter would return. Unfortunately, he's not here. Kristin as the Director, would you like to proceed or table this?

**Dr. McCausland** – I assume he will have to come back next month anyway.

**Audrey Hickman** – (By phone) We were supposed to be on the meeting for the 18<sup>th</sup>. I don't know if him not being here now will push this back.

**Kristin McRae** – I don't think it will. I think that meeting will proceed regardless.

I sent them an email I can let you see what I wrote in that email, the board members also have it. So, we received the definitive plan for 271 Main St.. looks like its a subdivision for two lots. one is the existing lot, the other one a new lot. Questions I had for J. Kimbal and Peter Ogren were regarding the future septic systems, do you anticipate full compliance with Title V meaning, would they be requesting any waivers and do they expect two dwellings, one being an existing 3 BR house and one being a new 5 BR house.

**Audrey Hickman** – That was my understanding although mine is a 3 or 4 BR home. The existing home is mine I don't know if that makes a difference. Previous owners used as an office but it has a closet and the room is being used as a bedroom.

**Kristin McRae** – I did see something in the file whether it has 3 or 4 BR. Ultimately when you are planning, they need to strategize lot size, and be in full compliance with Title V. If both need new systems, they must be in full compliance, If the front has 3 BR and they are proposing 5 BR in the rear.

**Audrey Hickman** – I don't know what they are proposing but previous owners used it as a 3 BR, it's been listed as a three and as a four.

**Kristin McRae** – I think it will matter more about the property line. For example, what land is available and what becomes the septic line to be used to be in full compliance.



**Audrey Hickman** – Second lot is over an acre, it's surrounded by wetlands, but they have dried up considerably. Yes they are still damp, someone from environmental came to look at it and tagged wetland species. There's been a lot of new development in the area and it diverted the water table.

**Kristin McRae** – I would leave that up to town hall conservation. In the file there was prior testing and the concern we have is depth to ground water ratio. Notes state that in 1999 a test pit was done that yielded 84 inches. Then in May of 1999, they were trying to test for new construction and came up with 50 inches, 60 inches and 73 inches. Now in June of 2020 testing results did not encounter water down to the depth of the pit which was 80-90 inches with no ground water identified. I am concerned about existing higher water table notations on the lot. I did want to specifically address this with Peter and maybe do some specific verifications with Peter here. It's hard to get these answers. We are in a drought year and drought doesn't necessarily mean anything in the type of testing we do. In a regular season when you dig a pit you may have standing water, but that's not necessarily the highest water point that may come up. That's why I wanted to speak to Peter. Worst case scenario, he could design something or add the design to the design plan he has now and be able to accommodate a 50-60 inch water table. It may need more grading than the plans may show.

**Audrey Hickman** – My understanding was that there were no problems at all, they were pleased with the outcome.

**Kristin McRae** – Emilie heads up conservation and planning. I think she'll have more or better information as that flushes out on Nov 18, 2020. Peter can also reach out to me and talk about that ground water issue.

**Audrey Hickman** – Were there any other concerns other than that?

**Kristin McRae** – There are still steps along the way. This is just whether a subdivision will be approved or not. We are looking at the soil stability at this point. In the future, if the planning board does approve that it does become two lots, then they have to submit full design plans for us to review, and must meet full compliance. Then, building plans must match capacity of the number of bedrooms and be consistent with the number of rooms.

**Dr. McCausland** – Ok, I make a motion to adjourn

**Dr. Iocco** – I second the motion

**Kristin McRae** – Dr. Iocco, for signing invoices, I don't have any prepaid electronically, I can send them to you for electronic signature after the meeting

**Dr. Iocco** – Yup, I check my email all the time. Ok, we close this meeting at 7:55 PM -

All members are in favor - Meeting is adjourned at 7:55 PM

**12<sup>th</sup> agenda item** - Other Business – None tabled

**Attachments:**

- Minutes of Thursday October 8, 2020
- 28 Alexandra Road – Title 5 Needs Further Evaluation
- Lot 17/18 Janet Way – New Construction, Water Supply Certificate
  - 11/10/20 McRae email regarding Janet Way lot 17 and Lot 18
  - 11/10/20 McRae RoC Notes for BOH meeting lot 18
  - 11/10/20 McRae RoC Notes for BOH meeting lot 17
  - 08/31/20 McRae email: notes/questions about submittal
  - 11/10/20 McRae email: Water Supply Certificates for 2 New Domestic Wells
- Application for review of Plan-Application for Title V setback form
- 10/26/20 Lot 17 Janet Way Application
- 10/09/20 Nashoba Analytical Certificate of Analysis Lot 17 Janet Way
- 10/30/20 eDEP Transaction Copy record – Well Completion Report
- 10/26/20 Lot 17 Janet Way Application
- 10/09/20 Nashoba Analytical Certificate of Analysis Lot 18 Janet Way
- 10/30/20 eDEP Transaction Copy record – Well Completion Report
- 46 Oakridge Terrace – New Construction and Setback from Pillings Pond
  - 10/09/20 Letter from Marchionda & Associates regarding proposal
  - 10/09/20 Marchionda - McRae email regarding with responses attached
  - Undated Revised Plan
  - 10/05/20 Print of 46 Oak Ridge Terrace property record card
  - 7/19/19 DEP memo of position for Pillings Pond
  - 10/09/20 Marchionda Letter of Transmittal
  - 11/12/20 McRae Letter - Code references for waiver to a tributary



- 45 Lakeview Ave – Variances and Local Upgrade Approvals

10/08/20 Application for Disposal System Construction Permit

11/09/20 McRae – Whyman Email regarding property details

Undated Plan

07/25/20 Letter regarding Tight Tank at 45 Lakeview Ave.

Undated Plan

07/26/19 Application for Disposal System Construction Permit

- Vallis Way, aka 109 Lowell St, Preliminary Subdivision Plan

10/14/20 Letter Kimball & Kimball Letter Submission of Preliminary  
subdivision plan

11/09/20 McRae email: notice of addition of topic to Nov BOH

11/09/20 area plan

Undated Plan

- 271 Main Street, Definitive Subdivision Plan Road A

10/30/20 Letter Kimball & Kimball Letter Submission of Preliminary  
subdivision plan

10/30/20 Kimbal - McRae Email - 271 Main Street Definitive Plan filing

11/09/20 McRae email: notice of addition of topic to Nov BOH

11/09/20 area plan

Undated Plan

- COVID-19 Updates

10/05/20 Agenda-Town of Lynnfield Emergency Management meeting

10/05/20 COVID-19 Stats

Updated COVID-19 Map thru 9/30/20

## COVID-19 Dashboard

- Flu Clinic Planning



**Minutes of Regular Session**

**Lynnfield Board of Health**

**Thursday, October 8, 2020**

**Present:**

**Dr. Rocco Iocco, DMD, Chair**

**Gail Link McCausland, DMD, Vice Chair**

**Dr. Gary Mendese, Member**

**Kristin Esposito McRae, RS, Health Director**

**Maria Welsh, Recording Clerk**

**Attendees:**

**Joseph Serwatka - Engineer**

**George and Julie Hoey - Of 34 Edward Ave**

**Jon Whyman - Installer**

**Luke Roy - Engineer**

**Jim Kavanaugh - Engineer**

**Anothony Orlofski - 123 Summer Street**

**Craig Marcionda – Engineer, Oakridge Terrace**

**Christine Fletcher -7 Doncaster Rd. in behalf of Shirley Fletcher**

**5:36 BOH meeting called to order.**

**Roll Call: Above names were present during remote Zoom meeting.**

**Kristin McRae opens with Massachusetts State Governor Baker's updated order on COVID-19:**

**Kristin McRae** reads Governor's remarks pursuant to meetings during COVID-19:

NOTE: Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, and his March 15, 2020 Order limiting the number of people who may gather in one place, the meeting of the Lynnfield Board of Health will be conducted via remote participation. The public may not physically attend this meeting, but every effort will be made to allow the public to view and/or listen to the meeting in real time. Persons who wish to do so are invited to go to Join Zoom Meeting:

**Kristin McRae** reviewed agenda items

**Minutes from August 27, 2020 – any additions or deletions?**

Vote to approve minutes from August meeting

Approval unanimous Vote: 3:0 Roll Call Vote

**123 Summer Street Local upgrade approval**

2 plans provided for review:

- First plan shows upgrade in compliance without waivers
- Second plan with variances included due to unexpected circumstances within the yard
  - Second plan utilizes advanced technology treatment system

**Kristin McRae** spoke with of Mass DEP about the feasibility of accepting a second plan after having a fully compliant submittal, they spoke of considering the financial impact to consider the cost factor in the proposal consideration to show the difference between the two, full compliance vs. with variances. An additional consideration is that there is a footprint for a future garage to be considered, to determine if there is any habitable space included.

Owner or design engineer provided opportunity to speak:

**Jim Kavanaugh** – Design Engineer – Introduced himself turned to Homeowner Anthony Orlofski to describe the addition

**Homeowner Anthony Orlofski** – Plans to build 2 car garage off mudroom. Direct access from mudroom into garage with great room above. ½ for office – ½ for storage space

**Dr. Iocco** – Asks if there will be any plumbing in the addition?

**Anthony Orlofski** replies no, not at this time.

**Dr. Iocco** – So, there is no increased flow from the addition?

**Anthony Orlofski** confirms no, but states he hopes to install a split heat pump system sometime.

**Dr. Iocco** notes that in the May submittal there was a pool outline close to the leaching field.

**Anthony Orlofski** confirms that there was an above ground pool at one time that has been removed

**Anthony Orlofski** states, first version of plan approved Dec 11<sup>th</sup> of 2019

**Dr. Iocco** asks if current system is failed.

**Kristin McRae** requests that homeowner explain the system a little more.

**Anthony Orlofski** defers to Jim Kavanaugh.



**Jim Kavanaugh** states system is operating but due to the new addition they need to get a new conforming system in. Homeowner had service performed and discovered the leaching pits were saturated and the baffle had failed allowing continuous flow between the tank and pit.

**Dr. Iocco** asks if replacing the D-box is an option.

**Anthony Orlofski** says no because the pits are at full capacity, saturated, end of useful life.

**Jim Kavanaugh** interjects isn't the tank where the proposed garage is going?

**Anthony Orlofski** agrees/acknowledges.

**Kristin McRae** explains the two variances being sought are a reduction to ground water and a 50% reduction in size which is driving the proposal of the FAST system.

**Kristin McRae** states system cost differences should be considered. The first plan doesn't include a retaining wall, which is part of the cost difference. In addition, it seems a deed restriction is warranted to avoid a bonus room in the future becoming a bedroom. The FAST system requires additional filings with the registry of deeds. Mr. Orlofski should probably file these at the same time for the 3 BR restriction.

**Dr. Iocco** asks if technology has been available for some time and is approved by the DEP

**Kristin McRae** confirms.

**Kristin McRae** turns over to Jim Kavanaugh to further explain the FAST system – The two reductions, groundwater and size by 50% are significant and worth more discussion. Usually this type of request is in extreme hardship.

**Jim Kavanaugh** insists that DEP has stated that a local upgrade approval should not be needed per standard conditions of 2016 where the DEP has approved the use of this system without any local upgrade approvals or DEP approval as a right where up to a 2-foot reduction in ground water and a 50% reduction in the size of the system

**Kristin McRae** states that DEP says you don't need a variance, by taking the two big waivers you don't need to go through the Department, it's through local upgrade approval that provides a path. DEP responded that given a full compliance plan and one that is not, the cost is what would tip the scales.

**Jim Kavanaugh** mentions a letter sent to Kristin McRae citing where the DEP does state that cost is a consideration in decisions.

**Jim Kavanaugh** goes on to talk of the full compliance system was submitted and approved but further evaluation by the contractor determined the need for an additional retaining wall representing a system cost of about \$46k. Additional test holes were made in the rear of the property but none were successful leading to the current proposal.

A FAST system is actually a mini treatment plant for which the DEP allows the ground water and size reductions. With those two items we were able to get the cost down to about \$24k or about a \$20k reduction.

**Kristin McRae** reiterates idea that a deed restriction needs to be discussed to avoid the extra space being turned into a bed room down the line.

**Dr. Iocco** raises the question of whether the FAST system requires maintenance or a service contract or more upkeep than the traditional system.

**Jim Kavanaugh** acknowledges that yes there is a need for service in perpetuity, a yearly maintenance contract is assumed by the homeowner for roughly \$400/year to be recorded at the registry of deeds therefore the need for a deed restriction isn't there.

**Dr. Iocco** asks if there have been multiple bids or just this one.

**Jim Kavanaugh and the homeowner** explain that there have been multiple informal bids for the system but this is separate from the building.

**Dr. Iocco** asks and Kristin McRae confirms that only one quote is documented in the submittal.

**Anthony Orlofski** speaks of how most contractors won't formally quote a job until closer to getting it.

**Dr. Iocco** asks if there any other questions?

**Dr. McCausland** asks what the age of the system is?

**Anthony Orlofski** states 27 years.

**Dr. McCausland** – Is there currently a garage being replaced?

**Anthony Orlofski** states No garage.

**Dr. McCausland** asks if the main difference in cost is the retaining wall?

**Anthony Orlofski** confirms, multiple retaining walls and additional fill brought in.

**Dr. McCausland** echos concern over future creation of a bedroom from the additional room and would be in favor of the 3 BR deed restriction.

**Anthony Orlofski** feels that it is not necessary, excessive.

**Kristin McRae** asks how many rooms to the house now?

**Anthony Orlofski** – 3 BR

**Kristin McRae** – How many rooms?

**Anthony Orlofski** replies there are 9.

**Kristin McRae** – that is already over the limit for a 3 BR system, the title five limit is up to 8 rooms, when more are wanted ...can use deed restriction

**Anthony Orlofski** – There are 8 rooms.



**Kristin McRae** – ... And then the bonus room would make 9, so if you want to file the restriction with the building plan submittal for the new room that would work.

**Jim Kavanaugh** emphasizes that it can be addressed when the architect submits the plans.

**Kristin McRae** would like the board to reiterate that the intent is to have the deed restriction required when the building-construction permit is filed, would like to have that aired now rather a return to the board in the future

**Dr Mendese** asks, if the board approves the FAST system as proposed but includes the contingency that a deed restriction be filed when the room is constructed, that would avoid a return to the board.

**Kristin McRae** agrees with that path.

**Anthony Orlofski** asks for additional explanation.

**Kristin McRae** explains that the current permit does not include the new (building) construction so when that plan is filed a deed restriction would need to go along with it.

**Jim Kavanaugh** reiterates for the owner that the board isn't really asking for anything unreasonable.

**Anthony Orlofski** acknowledges and accepts.

**Dr. Iocco** stresses the importance of avoiding room count increasing in the future and also asks if the property is in the ground water protection zone?

**Kristin McRae** replies that it is just outside and not in any Nitrogen sensitive scenario.

**Jim Kavanaugh** concurs.

**Dr. Iocco** says he is prepared to make a motion to accept the new design using the FAST technology based on the price differential from the conventional system with the deed restriction in place for the 3 BR residence with the two variances requested, the 4 feet, 2 feet and the 50% reduction in leaching area when the building application is submitted.

**Dr. McCausland** seconds the motion

Roll call vote:

Dr. Iocco                      Yea

Dr. McCausland            Yea

Dr Mendese                Yea

Vote recorded as Unanimous

### **34 Edward Ave Local Upgrade Approval**

**Kristin McRae** discusses the details: Repair plan for three bedrooms.

Existing plan for two bedrooms, property was sold in 1997 as two bedrooms, but sometime between '97 and now there was construction.

This site outside of ground water protection so also not a Nitrogen sensitivity area.

The other concern is that the size of the site, the lot size is on the smaller side and trying to accommodate a system in full compliance with the reserve is not possible.

Also, the assessor has this listed as 5 BR and 9 rooms, way over the 2 BR permit for the existing system'

Perc test completed and design is for max that can be fit – 3 BR with one variance. So a few issues to work through, and can turn over to either the owners or Jon Whyman.

**John Whyman** provides some information about the property history, the system is a pit style system, and owners want to move, existing system would not pass an inspection due to ground water depths on the property. A plan was drafted and submitted with minimal variances: a setback variance. We tried to keep it as big as possible with the existing available property. This is a case where the town has granted building permits and the septic department hasn't been kept up.

**The Homeowners** interjected that there are three BR's upstairs not 5 with an office downstairs. Earlier remodeling added 3 bedrooms, but the assessor never eliminated the lower floor bedrooms. First floor contains a kitchen, living room, office and half bath.

**Kristin McRae** explains that a permit was issued in 1997, when current owners purchased the property and added the addition. Property is not in a Nitrogen sensitive area, and is outside the ground water protection district - not near a tributary. MA DEP's goal is to design for 3 BRs and when this can't be done, it would require a deed restriction. Current plan is to design for 3 but if unable to provide a reserve area, a deed restriction is important due to the discrepancy at the assessor's office. Title 5 definition of a bedroom doesn't take into account a closet. Title 5 does consider privacy, ceiling height and square footage. This situation seems like it could be solved with a 3 BR restriction in granting the one waiver or else there is a house with a lot of rooms and no place to put a system.

**Dr. Iocco** asks what the flow of the system is?

**Jon Whyman** states that it is unknown.

**Kristin McRae** says it was designed for 75 gal /day and a daily flow of 300.

**Dr. Iocco** asks for clarification on the variance being sought. Is it just the ground water and the leaching field size?

**John Whyman** replies just the one for setback.



**Kristin McRae** clarifies – it's the setback variance to the foundation wall.

**Dr. Iocco** – From what to what?

**Kristin McRae** – I believe 20' – 12'

**Joseph Serwatka** – Yes 20 – 12 with a rubber barrier.

**Kristin McRae** responds that typically a property is not eligible to increase its flow over the existing permit. In 1997 significant renovating was done and I feel that a deed restriction is needed else we have this widespread discrepancy.

**Kristin McRae** - Any other comments?

**Dr. McCausland** agrees that it is not ideal going from 2 to 3 but with the variance they have enough room as long as there is a barrier. Although the deed restriction seems excessive, there have been so many of these situations where building doesn't talk to septic, and septic doesn't talk to building, this has affected past sales and it really drives to needing a deed restriction for clarity.

**Dr. Iocco** asks if someone would make a motion.

**Dr. McCausland** makes a motion to accept the variance of 20'-12' to the foundation with the application of a rubber barrier at 34 Edward Ave. with a 3 BR deed restriction.

**Dr. Iocco** seconds the motion.

Roll call vote:

Dr. Iocco                      Yea

Dr. McCausland            Yea

Dr Mendese                Yea

Vote recorded as Unanimous

## **7 Doncaster Rd – Local Upgrade Approval**

**Kristin McRae** – Lot constraints, significant amount of ledge in area, encountered ledge when performed deep hole observation and perc test for new system.

Assessed for 4 BR and design is for 4 Br

Looking for waiver for depth of 4 feet of natural occurring material – need at least 4 feet of suitable soil on site above ledge in order to install a system – don't recall precedence during Kristin McRae's time in position

Regulations changed from no variances to requirements that can allow (waiver). Technology made available with a waiver allowed to do so with at least 2 feet of material. About 3 feet identified as available on site.

Footprint of leaching field will need to be evaluated for continuously greater than 2 feet throughout when excavated due to concern (of ledge) with trees on the area.

**Kristin McRae** turns conversation over to Luke Roy to discuss details (LJR Engineering)

**Luke Roy** – Repair replacement design with no increase in flow or expansion planned, system front of home structurally failed and needs to be replaced to allow progression of property sale. Behind the home is not an option with the exposed ledge.

Looking at the front and right side of home, right side caters to soil absorption system.

Have performed this approach in other cases – utilized Presby alternative environment system which does allow the reduction in to 2 feet from the 4-foot requirement

Test pit in system area showed approximately 36 inches of soil.

When system is installed it will also be elevated above the area material, expecting more than 4' beneath bottom of system and refusal.

If there is a requirement for some additional exploratory testing at time of construction that is reasonable. This does seem to be the most reasonable approach.

**Kristin McRae** – plan did not pick up on the cesspool system in the back being used for laundry, that was intended to remain in use. Can you comment on that detail? – Leaving a vintage piece remaining while the newer system is built?

**Luke Roy** – Majority of plumbing goes to failed system in front but there is a grey water pit in back of house inspected by Jerry Pezzella. Pit meets its intended function requirements and doesn't appear to show any reason to fail. Rather than having to redo the plumbing made the suggestion that it remains. Not captured on plan but be happy to update plan.

**Kristin McRae** expresses concern that if other plumbing somehow gets rerouted to vintage system that would not be acceptable.

**Christine Fletcher**, representing Homeowner Shirley Fletcher – basement is finished. There is also a bathroom and laundry connection in the basement.

**Kristin McRae** – We need to know where those plumbing connections go – can't go the cesspool

**Luke Roy** – Jerry had submitted an inspection report and might have captured the flow to that structure

**Kristin McRae** – If it's laundry only than that would be acceptable – anything else would not.

**Dr. Iocco** – Would the report from Jerry of what's going to the cesspool clarify and satisfy you Kristin?



**Kristin McRae** – Is there any ejector pump or does it just need gravity? Or when was the basement finished with the bathroom?

**Christine Fletcher** – Prior to 1968 when property was purchased.

**Kristin McRae** – Ok Then likely there is no ejector pump – Luke any thoughts?

**Luke Roy** – I would defer to the inspection report. As far as the condition of structure and what flows to it, although unique to have something staying if functioning, it should be ok.

**Kristin McRae** – OK.

**Dr. Iocco** – So reduction and depth is not requested as a variance if the Presby system is used is that correct?

**Luke Roy** – That is correct

**Kristin McRae** – It seems that it's still supposed to be captured as a waiver but you have the opportunity to do so with the technology.

**Luke Roy** – Plan has been noted of the Presby system and the reduction from 4' to 3' (note 1)

**Kristin McRae** – And that reduction as well as the only one test pit is also a waiver that needs to be added to the plan? It should also be captured on the As Built plan if there is no other need on the design plan as long as they are clearly written.

**Luke Roy** agrees.

**Kristin McRae** states no other detail needed.

**Dr. McCausland** agrees.

**Dr. Iocco** asks if a vote is needed.

**Kristin McRae** says yes due to 2 waivers- depth to soil and one test pit conducted in the SAS area

**Dr. Iocco** makes a motion to accept the submitted design plan for 7 Doncaster with the two waivers for depth of naturally occurring material and using only one test pit

**Dr. McCausland:** Seconds

Roll call vote:

Dr. Iocco                      Yea

Dr. McCausland            Yea

Dr Mendese                Yea

**28 Alexandra Rd.** – No representation, topic pushed out/ temporarily tabled

**Dr. McCausland** recommends to check waiting room.

**Kristin McRae** – No one waiting.

**46 Oakridge Terrace-** New construction going from 2 br to a proposed 4 br on Pillings Pond

**Kristin McRae** –With new construction, full compliance and a reserve area is required.

Previous communication with MA DEP regarding setback to Pillings Pond formally addressed topic with conclusion that Pillings Pond is a tributary and the setback requirement is 200 feet for septic systems

46 Oakridge application increases flow but doesn't meet 200' setback from Pillings Pond. Also, it is not called out as a variance or waiver request on the plan. Additionally, Oak Ridge Terrace is a private way without a water main on it. Several residences rely on private wells and septic systems. Periodically brought up where residences don't meet the setback from well to septic. This case does not meet setback however they are exploring bring in a water main down Oakridge Terrace, could other homes also be connected to relieve their setback issues?

**Craig Marchionda** agrees Kristin McRae's covered details - likely furthest point on property doesn't meet the 200' requirement.

**Craig Marchionda** explains that he placed the system proposal as far as possible, replacing an existing cesspool and an existing well on site will be decommissioned, it is under the footprint of the construction. We feel that we are giving a better environmentally safe option vs existing system. Owner is working diligently on getting a water main down Oakridge, unsure of status. Mike Touchette would be the contractor.

**Kristin McRae** replies that she believes this is going to the zoning board of appeals and would likely need to go the conservation commission. A waterline is also a substantial factor as it involves an additional agency. Can you walk us through the status?

**Craig Marchionda** – Notice of intent for this property has been submitted. I will have to submit an additional notice of intent for the water main as it would be close to the pond further east. Craig goes on to explain that he is not involved with the board of appeals aspect at this time. Was involved in the submittal of the NOI filing 2.5 - 3 weeks or so ago.

**Kristin McRae** asks do you know if the zoning relief has to do with lot size or setbacks?

**Craig Marchionda** replies that he is not 100% sure but thinks it is regarding setbacks, existing setbacks are smaller than what we are proposing westerly side is Approximately 5 feet. We are proposing 17.5 to easterly and westerly line.

**Dr. McCausland** – Question, the proposed plan has the well decommissioned on it?



**Craig Marchionda** – It will be decommissioned. I don't think we called it out specifically on the plan but you will see the proposed water supply comes in on the western side of the house and the proposed house covers the existing well.

**Dr. McCausland** – So this plan hinges on you being able to bring water in?

**Craig Marchionda** – Correct- that existing well is gone no matter what.

**Kristin McRae** –Wondering if it is premature to vote on the issue, without knowing status if water line, setback to Pillings Pond not listed as a waiver yet it triggers one and when you trigger waiver it is typically not something approved in new construction you would have to meet standards of asking to increase flow without full compliance.

**Craig Marchionda** – Correct. We are requesting a waiver, one reason I am here tonight, this compares to another lot between Pillings Pond and Old Pillings pond Rd. where we were granted a waiver about a year ago for new construction and the system is approved though not in the ground yet.

**Kristin McRae** – That is the specific case where we got the clarifying memo from the DEP after the meeting. The case was presented as not needing the waiver as it was stated that Pillings Pond was not a tributary and not meeting that definition. The board honored the waiver at the time the clarification was provided.

<Video Cuts Here>

**Craig Marchionda** – The understanding is the requirement is 200' but local can approve a variance if greater than 100' is provided.

**Kristin McRae** – But that puts it as local upgrade approval not new construction.

**Dr. Iocco** concurred with letter giving right to approve waivers.

**Kristin McRae** – Request could be for an increase in flow, and repair for existing system, but it is not supposed to be for waivers where there is an increase in flow. Need to demonstrate that the request is more beneficial to the environment.

**Craig Marchionda** – It's hard to argue that the new system doesn't provide a better solution.

**Kristin McRae** – Yes but that is not included in the request as well as consideration for the new water supply – need to get those details in order and prepare a waiver.

**Kristin McRae** – Expresses concern over any permit without sorting out the water supply issue, there is a lot to be worked out.

**Dr. Iocco** – Do we table issue for now?

Agreement proposed to table for future consideration when details sorted out.

**Craig Marchionda** – We believe the DEP correspondence is not yet enacted.

**Kristin McRae** – Not sure what you mean.

**Craig Marchionda** – We believe the letter referred to for Pillings Pond guidance is not enacted yet

**Kristin McRae** – I didn't get that impression.

Checked waiting room – no representation for 28 Alexandra Road.

### **COVID-19 Updates**

**Kristin McRae** – Lynnfield moved back to yellow this past Wednesday.

It's been a challenge, as of 10/5/2020 there were 148 cases with 14 cumulative deaths and 14 currently active cases

The town has rallied to try to spread the message. There's a video on the town website and we've considered park closures. There has been discussion about addressing youth and adult sports. The town is working hard with the state, the state has provided a sign "help Lynnfield Stop COVID to be posted at retailers.

Any specific questions?

**Dr. Iocco** – Looking at the data on Mass DPH – so it's a rolling 2-week average to determine status?

**Kristin McRae** – Yes, because of the 2-week aspect there is some overlap in the weekly reporting

**Dr. Iocco** – Determined based on state average?

**Kristin McRae** – They look at activity within the map range and communicate to emergency management

**Dr. Iocco** – Are we prepared to close parks if we remained in red?

**Kristin McRae** – Yes in total 2 polled/voted in favor of closing the parks, 2 polled/voted in favor of halting youth and adult sports. The town administrator and emergency management are putting out messages about caution. Regarding gatherings/complaints, we should follow up on complaints with a letter. I have sent out a draft for you for your thoughts.

**Dr. Iocco** – I looked quickly at it thought it was well done, good.

**Dr. McCausland** – Good for the first time, not for an egregious offence though or a second offence.

**Dr. Mendese** – Agree, seems well written and I agree with Gail.

**Kristin McRae** – Ok, will print off and send to the group, it provides another level of attention getting.



**Kristin McRae** – There's also new electronic signage at the middle school and more signage going up.

**Dr. Iocco** – Can you update us on Market Street, they don't seem to have a lot of signage, seems crowded and not well controlled.

**Kristin McRae** - they do seem to respond, and Emergency Management reaches out as well. Market Street elected not to use the state logo signs, I think they are doing their own signs and implementing a teen curfew, making more of an effort.

**Dr. Iocco** – Hope we are still in yellow next week, if we turn red would we close the parks?

**Kristin McRae** –The town can close the parks, youth and adult sports are a little more protocol driven due to sector specific guidelines – have to look at specific criteria or if there are violations, that would be separate

**Dr. McCausland** – Would recommend that if there is a way to get info out to remind people of what can result – need to make sure people keep perspective.

**Dr. McCausland** – Any cases related to sports?

**Kristin McRae** – Not that I am aware of (transmission)

**Dr. McCausland** – Seems most of the structured sports are being run well if we close them, we will cause more problems.

**Dr. Iocco** – I agree, the sports are operating well, Gatherings seem to be the cause.

**Dr. McCausland** –Parks are becoming a gathering place too.

**Dr. Iocco** – Let's hope we continue yellow and go green – how is contact tracing going

**Kristin McRae** – The contact tracing team takes the bulk of the cases, if there are nuances or a time factor they go to Sandy. Liaison to the contact tracing team helps at the school level. There are two (paths). One streamlines work with traces, the other on the school level as point of contact at the schools and stays in sync with the board of health.

**Dr. Iocco** – Have there been any school cases?

**Kristin McRae** – Yes but believes both occurred outside of school, not in the school setting.

**Dr. Iocco** – Lets move to the flu clinic

### **Flu Clinic Planning**

**Kristin McRae** – Sandy working with Mary through zoom to flush out ideas, possibly build on the summer street school clinics. Advance sign up, wait outside for your slot and then come in. Can better disinfect and manage and would handle the state supplied children's vaccines. The

schools are willing to do this. Sandy would provide the supplies and the school nurses would bring the rest.

We have enough vaccines for at least 2 clinics. Will have to see what the need is based on how many sign up. First clinic set for 10/21/2020 then second 2 weeks later in Nov. We plan to hold first before posting about the second. After the first 2 might have Sandy on Tuesdays by appointment at the Town Hall, in the lower level hallway for easy management of people.

Makes sense to evaluate supply vs. demand after the first two. If we use up all we have we can put in future requests with the stipulation that it is for children or uninsured adults. Linda (Naccara, Senior Center) feels there isn't much senior demand expressed to her. There have been a few calls for adults but we have directed them to try to find another source but also check back.

**Dr. McCausland** – Does the town hall receive vaccines for employees?

**Kristin McRae** – In the past we have had to purchase them or bring in Walgreens and have a contact at CVS.

<Video Resumes Here>

**Dr. Iocco** – I am concerned for the first responders; did we not do a clinic for them?

**Kristin McRae** – Walgreens did it in the past.

**Dr. Iocco** – Would CVS do a small clinic for the fire department if they have space

**Kristin McRae** – I think CVS has a minimum of 40 people.

**Dr. McCausland** – What about the teachers?

**Kristin McRae** Believes Mary organized that herself with CVS.

**Dr. Iocco** – If possible, to gage the need for town employees – could maybe set up a clinic.

**Dr. McCausland** – It's more of a convenience – helps more people to get it – easier access.

**Kristin McRae** – Will bring up at the emergency management meeting, FDP, PD, DPW all there, so can assess how the staff is doing. That would be a good gage.

**Kristin McRae** – Anything else? Flu Clinic Planning or other business?

**Kristin McRae** – This can fit under Flu Clinic Planning or COVID, public health nursing in a pandemic – I think there is still another round of CARES Act funding and we could take advantage of it for a temporary position of a public health nurse that would be able to take more of a planning or database type role. Someone that could understand the emergency dispensing site plan and run the operations section of it. With that comes the database management side of it. MIIS is a system now that should get flu vaccination information. There are other electronic issues that we just aren't putting in the infrastructure. Need someone that understands new software and tracking methods.



I have been drafting an outline for a temporary position. They would work with Glen Davis of Emergency Management to get this funded under the CARES Act. They would provide access to the databases and software and provide us with a good framework. The draft isn't quite ready but I will send it out for your thoughts and then take it to Emergency Management.

**Dr. Iocco** – So this position would be for a year or so?

**Kristin McRae** Thinks that as long as we are in a pandemic, or in an emergency, it would be for COVID-19 pandemic responses

**Dr. Iocco** – And this would be a full time 30-32 hrs per week position?

**Kristin McRae** – I can see the need for it especially depending on how many duties are taken on. This is the opportunity to get more infrastructure, and take advantage of the CARES funding available. There is another software PrepMod that is electronic, I'd hate to miss the opportunity to learn it, and make use of it. I will send out a draft work in progress. We will need to make it fit under grant funding to get something that will help us through the pandemic.

**Dr. McCausland** – Do you think other departments would want to try to hand off work to this person?

**Kristin McRae** – There are certainly enough things that I have taken on that would be handled by a public health nurse. I think we need to add some infrastructure and stop going so lean on the public health nurse capacity.

**Dr. Iocco** – Do you know if Wakefield has a full-time public health nurse? – Might not be a bad idea if we could share a public health nurse.

**Kristin McRae** – there is still some split between Wakefield and Melrose and I'm not sure how they divide up the time – It would be good to get someone already plugged in to the MAVEN system. My goal is really to set up the infrastructure, and have it in place for highs and low times. Need to make use of a modern electronic system.

**Kristin McRae** – Any other items?

**Dr. McCausland** – No additional

**Dr. Iocco** – I think things go well despite the challenges.

**Dr. Iocco** Makes a motion at 7:30 to close the meeting.

**Dr. McCausland** – Seconds the motion

All members are in favor - Meeting is adjourned.

### **Attachments:**

-Minutes of Thursday August 27, 2020

-123 Summer St.

9/17/20 letter from J. Kavanaugh requesting addition to next BOH meeting

9/16/20 K. McRae email regarding details of property

9/21/20 Nardone Proposal for 123 Summer St. FAST system

9/21/20 Nardone Proposal for 123 Summer St. approved system

8/13/20 System permit application

9/01/20 System Plan – J. Kavanaugh

11/30/16 DEP Standard conditions for Secondary Treatment Units

8/13/20 Secondary Treatment Systems Owner Certification

8/13/20 Secondary Treatment Systems Designer Certification

12/19/19 System initial permit application

5/06/20 Issues plan w/o variances

#### -34 Edward Avenue

10/05/20 BOH Memo regarding 34 Edward Avenue site plan and profile

9/10/20 System permit application and plan

12/28/72 Issued original application and plan

1/22/97 System inspection / Certification

9/17/20 Print of 34 Edwards Ave. property record card

#### -7 Doncaster Road

9/18/20 System permit

10/05/20 Print of 7 Doncaster Road property record card

Undated Plan for 7 Doncaster Road

8/08/20 Title 5 inspection form – front system

8/08/20 Title 5 inspection form – rear system

9/30/20-10/1/20 Email, McRae – Roy regarding laundry cesspool



10/30/19 DEP Presby Modified Certification for Remedial Use

-46 Oak Ridge Terrace

9/24/20 Letter from Marchionda & Associates regarding proposal

7/19/19 DEP memo of position for Pillings Pond

Undated Plan for 46 Oak Ridge Terrace

10/05/20 Print of 46 Oak Ridge Terrace property record card

-COVID-19 Updates

10/05/20 Agenda-Town of Lynnfield Emergency Management meeting

10/05/20 COVID-19 Stats

Updated COVID-19 Map thru 9/30/20

COVID-19 Dashboard

**Minutes of Regular Session**

**Lynnfield Board of Health**

**Thursday, August 27, 2020**

**Present:**

**Dr. Rocco Iocco, DMD, Chair**

**Gail Link McClausland, DMD, Vice Chair**

**Dr. Gary Mendese, Member**

**Kristin Esposito McRae, RS, Health Director**

**Emilie Cademartori, Director of Planning and Conservation**

**Thomas Mullen Town Counsel**

**Mr. Lapinco -**

**Joseph Peznolla - Center Plaza**

**Steven Herlihy - Center Plaza**

**Maria Welsh, Recording Clerk.**

**5:42 BOH meeting called to order.**

**Roll Call: Above names were present during remote Zoom meeting.**

**Kristin McRae opens with Massachusetts State Governor Baker's updated order on COVID-19:**

NOTE: Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, and his March 15, 2020 Order limiting the number of people who may gather in one place, the meeting of the Lynnfield Board of Health will be conducted via remote participation. The public may not physically attend this meeting, but every effort will be made to allow the public to view and/or listen to the meeting in real time. Persons who wish to do so are invited to go to <https://us02web.zoom.us/j/82185788033> and enter meeting ID # Meeting ID: 821 8578 8033



## **Center Plaza Upgrade: Request for extended upgrade approval**

K. McRae explains that the current permit is good for 3 years, and it is not in the best interest of public health to extend further

Plaza representatives leave online meeting to discuss matter.

Mr Peznola outlined the contents of a June 3, 2020 letter stating the group had in February of 2020, fully intended to begin construction in the dry season.

Completion was planned for on or before August 2020.

Current pandemic situation changed their operating circumstances. Tenant and revenue impacts affected ability to secure financing for project.

The owners remain fully committed to implementing the system as approved. Plan to install 10k gallons of tanks, consisting of a septic tank and a pump chamber. Also plan to install level alarms connected to an auto dialer system for monitoring. Will secure a licensed hauler to monitor capacity level and to handle servicing the system based on level. This is seen as an interim solution until the COVID-19 crisis has passed.

The plan would include an increase of pumping as moving forward and tenancy increases. The tipping point may be before the 5-year period currently requested. Hope to complete full project sooner than the 5-year period requested but that is contingent upon funding.

The owners realize that some of the 5-year period has been consumed. The goal is to complete the project as soon as possible. Once the project is started, they are committed to completion and are fully conscious of the associated costs for pumping and monitoring. This interim plan/approach takes the environmental concerns off the table and removes the threat.

Mr. Peznola is here today looking for approval of the interim measures.

Three years from the date of issue (March 9 2016) is the period of time that the Town Administration and the Health Director all feel to be appropriate.

**Gail Link McClausland:** Raised the question of what the expected pumping frequency is based on occupancy.

**Mr. Peznola** Responded that he expects 3600 gal/day. Normally Title 5 estimates tend to be 2X actual and he feels that using the estimate is conservative and will result in a conservative pump cycle of 1.5 weeks.

**Gail Link McClausland** Asks if the owners were fully aware of the details.

**Mr. Peznola** Stated that the information has been conveyed to the owners, and that they understand the sensitivity to pumping timing.

**Gail Link McClausland** Asks if a contractor had been identified and was ready to go on contract.

**Mr. Peznola** Responded that they do not as of yet and know that the contractor would need to be fully licensed to operate in Lynnfield.

**Mr. Peznola** Proposed that they produce and present to the board, a contract that would include covering reporting frequency and gallonage pumped during the contract period.

**Gail Link McClausland** Asks what the reference point for the five-year period is

**Kristin Esposito McRae** States that the topic was visited in 2016, The reports were erroneously marked and an upgrade agreement was entered into for **8/17/17** to **9/1/18** at which point a one-year extension was granted to **9/1/19**.

**Kristin Esposito McRae** points out that being asked now for a five-year extension feels out of synch with the three-year permit currently in effect till **3/20/23**

**Kristin McRae** Also states that she would like to see an outline of milestones to be achieved between now and **3/20/23** to avoid issuance of a letter of non-compliance.

**Mr. Peznola** States that the plan would be the project would almost immediately start and would remove the existing concerns. As with many projects there is a period where pumping is needed and asks the board to consider granting the Five-year extension due to the current financial crisis allowing the project to proceed in interim after removing the environmental concerns and would like to avoid a non-compliance document.

**Dr. Rocco Iocco** requests that town council **Thomas Mullen** weigh in on whether we are required to issue a letter of non-compliance.

**Dr. Rocco Iocco** also states that the board appreciates the willingness to make right but feels that the three-year period is enough time.



**Thomas Mullen** States that he strongly recommended issuance of a notice of non-compliance. He felt that there are 2 tracks to follow: First, by agreement as followed so far > 3yrs. as amended but we don't know if any progress has been made under that agreement. Second, by enforcement, Title 5 requirements of public health begin with notice of non-compliance before an enforcement order is issued.

We have refrained because of the good faith demonstrated and understand the reluctance to need to rely on regulatory, if we do issue then we establish a predicate that is created by issuing the notice of non-compliance.

**Dr. Rocco Iocco** Requests that someone make a motion.

**Mr. Hurlihy** States that he understands that there has been a lot of back and forth and the project lost their financing due to the COVID-19.

**Mr. Hurlihy** continues with the note that Ratta Construction is on board and was ready to pull permits and to move forward then the financing was lost. Since that time the tenants have been impacted and we have been focusing on restructuring rents to allow the tenants to stay. We cannot currently refinance and borrow the full amount based on the current revenue stream. The owners hope to get financing to cover half and raise the balance over the 5 yrs. There are influencing factors such as tenancy is down, lease rates are down, improvements to the plaza are needed to attract new tenants and we hope the board will consider these things in their decision.

**Mr. Lapinco** States that the property was purchased in 2015 with a past Title V that had issues. They engaged engineering to come up with a plan and worked through the process. However, they ran into difficulties securing bids and are concerned over the perception of delay or avoidance of commitment. We are working to uphold the agreement. I can assure that we don't want to pump. We are working with tenants, doing the best we can and intend to uphold commitment, have a great contractor and project manager and want to complete the project. We feel that the request for the **five-year extension** is fair in light of the uncertainty of today's COVID-19 issues.

**Dr. Rocco Iocco** requests that Kristin frame a motion

**Kristin McRae** states that we understand the difficulties but also have to work within the guidelines for public health and Title V.

June 3rd letter sought a 5-year extension and installation of tight tanks

We do not support a 5-year extension in light of the time since permitted, and that the current permit extends into 2023

**Motion: Made - To recommend install tight tanks and deny the 5-year extension with a stand-alone document to capture milestones.**

**Thomas Mullen** Recommends that they respond to the 6/3 letter by approving tight tanks and declining the 5-year extension. Second: to authorize the issuance of a notice of non-compliance.

**Mr. Peznola** States that if the board issues a notice, they would be compelled to respond with how they will bring the effort to compliance but would like to first understand what the non-compliance is.

**Kristin McRae** responds that in the upgrade to the initial agreement there is a list of the factors of noncompliance. 5-6 items are documented that will go into the notice. The response to the notice can serve as documentation.

**Mr. Lapinco** Reiterates the request for no issuance of a notice of non-compliance.

**Dr. Rocco Iocco** Motion – In response to let approval of the installation of tight tanks as an interim measure but deny the request for a 5-year extension

The motion was seconded by Mr. Mendese and a roll call vote followed.

**Dr. Rocco Iocco** – Aye

**Emilie Cademartori** – Aye

**Gail Link McClausland** – Aye



**\*Second motion made for issuance of a letter of non-compliance regarding the project**

**Gail Link McClausland** Seconds the motion and a roll call vote followed:

**Dr. Rocco Iocco – Aye**

**Gail Link McClausland – Aye**

**Dr. Gary Mendese – Aye**

The center plaza topic is subsequently closed and Mr. Lapinco, Peznola and Herlihy depart. Mr Mullen states that if there is no additional business for him, he will excuse himself as well.

### **COVID-19 Updates**

**Kristin McRae**

**Maria Welsh**

**Dr. Rocco Iocco**

**Gail Link McClausland**

**Gary Mendese**

**Emile Cademartori**

### **Opening Remarks**

**Dr. Rocco Iocco** Praises work done by K. McCrae and entire team during the pandemic. Thanking the emergency team, the public service workers, Kristin and the whole team for the work during the crisis.

**Kristin McRae** Begins with new updated state color coded map showing town by town color coded COVID status. The new map put Lynnfield in the grey (<5 reported cases per 100k). The map has been put out to help the public as well as to be used towards opening schools. Its function is to identify areas of greatest cases.

**Kristin McRae** explains how the process had been working. In March she began meeting with emergency management which became a daily M-F 8AM Zoom meeting. Sandy handled the cases as they came in and Kristin handled the calls from the community. There was a learning curve for the first responders, but the team worked to improve as they went along as policies and procedures evolved.

**Kristin McRae** participated in press conferences receiving emergency orders and guideline documents. Between March and August 25, 2020 there have been 109 cases with the most being in April.

**Kristin McRae** reports that they then began shifting to reopening plans and placed info on the website. **On May 26, 2020** Town Hall employees began returning to work and department heads were already in place at that time working on maintaining continuity of operations. The town hall was open by appointment for the general public with the majority of communication being through the drop box, calls and emails. **On August 8, 2020** the state started the color-coded map and the department has been working with the school liaison to relay-on the pertinent situational information. The Department of public Health has now issued a requirement for flu vaccinations for all returning school children by **12/31/2020**

**Kristin McRae** Asks if there were any questions on the updates

**Gail Link McClausland** Comments that we are always tight on Sandy's budget, is there any extra funding for public health nurses?

**Kristin McRae** Responds that the funding did get carried through June 30 but we have exhausted said funding 2 times the \$7,500 budget already in the new year. The nurse Sandra Wilson has been instructed to reduce time, have asked her to look at ways to accomplish this. Hope to return the nurses schedule to something more normal.

**Dr. Rocco Iocco** Asks about any more funding. The Metro area planning council provided funding from the state. The Cares act is still in play, may be an avenue for funding. We are hoping the school liaison will be able to offload some work from Sandy.



## **Office has been impacted-**

- \*Calls
- \*Reopening plans
- \*Interpretations
- \*Violation reports

**Dr. Rocco Iocco** Agrees to move the topic

### **Topic 3 Flu Clinic**

**Kristin McRae** Begins with CVS has contacted The town – Question is raised as to whether we are interested in them running the clinic? Last year Walgreens handled it and there was a glitch. The pharmacists were great but there were complications on the management side. The schools used CVS as well last year. The representative came in last month prior to the issuance of the requirement. The representative provided Q and A material. They can place orders for free vaccine and can get reimbursement for administration of the vaccine so our costs would be set-up.

**Gail Link McClausland** States that the challenge will be providing the vaccinations while maintaining the CDC separation requirements. Perhaps a series of smaller appointments. It will be a cost / time / convenience factor. Individual households may go to their own place.

For adults we can purchase the vaccine or go with the CVS model where we don't have to guess the quantities needed and we won't lose anything

As the school liaison comes on board, this new requirement is a result of COVID-19, so we hope that she can help with the orchestration and logistics.

**Dr. Rocco Iocco** Flu clinic is always a challenge, can't assume that all will go their own pediatrician. Is it possible to do the vaccines through the school nurse?

**Gail Link McClausland** The challenge with that is that there may be hurdles to work through – the work structure, the union

**Gail Link McClausland** – Town Vaccinations need to be issues with a parent present, which drives it to after hours and the issue of paid overtime would recommend that adults go with CVS for kids there are 2 issues.

**Gail Link McClausland** Do we have any way to make money to make up for additional nursing expenses? This has never been a big money maker in the past and now we are adding the COVID costs in. Can we break even? Or with it being a public health issue are we just willing to take the hit?

**Gail Link McClausland** Suggests assessing the priority, we don't want to paint the picture that the board of health is there to provide all.

**Emile Cademartori** Asks if the Department of Public Health offered guidance for how to run a flu clinic during COVID, procedures, precautions, logistics materials, cleaning.

**Kristin McRae** Says the state did put out a guide. I have asked Sandy for input on what she thought the flu clinic would look like. Could have a paperless registry, but do we even have the equipment? An outside vendor might be the best solution.

**Dr. Rocco Iocco** States that he sees two concerns 1. The state loves to do these things but will they be able to support the quantity and 2. That CVS doesn't spell out their guidelines.

**Kristin McRae** Stated that the CVS Rep said they have plenty of doses and they also have the high dose.

**Dr. Rocco Iocco** Raises concern about senior centers. How do we manage that?

**Kristin McRae** Replies we will have to explore that more intently. Can there be a drive through at the senior center?

**Gail Link McClausland** Asks if there is a model available but there needs to be a fair amount of planning The High school has a walk through in existence maybe we can modify it to a drive through with less complication than creating a new model, and the senior center could be structured in blocks of time.

**Dr. Rocco Iocco** CVS has no deadline to commit but sooner is better.

**Kristin McRae** We need to review the contract, can Dr. Iocco review and see how to get a signature over to them?



**Dr. Rocco Iocco** If the board agrees, CVS seems to be the better option than Walgreens.

**Gail Link McClausland** Walgreens ran out of vaccine and seemed to have some organizational issues – and no follow up for more clinics.

**Dr. Rocco Iocco** States that he agreed to go ahead with the ordering of state vaccines for children

**Kristin McRae** Sandy may have an order in based on last year with no adjustment. Should call back and see how to increase requested doses. Excess doses can always be returned to the state or transferred to other communities. Its hard to predict need. Mary Homelan should assess the need and the school liaison should estimate need. The Summer street school clinic was successful but not in the terms of today's COVID separation concerns. There is concern as to whether there is adequate supply

**\*Close Topic**

### **Other Business / New Business**

**Kristin McRae** Says I received an email from Rob Dolan asking the board of health to set FY21 goals, 3 goals, can't be only COVID 19 impact.

#### **1. Continuity of operations with the development of subdivisions**

- a. Tuttle**
- b. Janet way (Wells)**
- c. 109 Lowell (5-7 lots, at perk now)**

#### **2. Continuity of operations with COVID 19 Responses**

#### **3. Add more forms and applications to the online space and improve online accessibility.**

**Gail Link McClausland** Suggests that goal three is good because it supports goal two.

**Dr. Rocco Iocco** Asks is it going to be that difficult to improve?

**Kristin McRae** States that Patrick is available as an asset for IT work, Interactive forms would be better if we could get that to work. At least access to forms would help for example food permits.

**Gail Link McClausland** Asks if CVS can run the children's clinics too? Avoids financial and logistics concerns but we have the potential to make some money on the reimbursements

**Gail Link McClausland** If COVID ramps back up we may lose the opportunity to make any money we should order doses and see how it goes. We need to expect a run on the flu vaccines. Should it be town hall or School or pediatricians.

**Dr. Rocco Iocco** Suggests we need to provide some service, we are obligated to

**Gail Link McClausland** Wonder if anyone thinks that the governor may loosen the mandate? May be worth considering waiting a bit to see whether mandated or not there will be a run on Flu shots. Need to plan to but then be ready to pivot if overwhelmed.

**Dr. Rocco Iocco** Suggests we get doses early, sit on them and be ready to provide.

**Kristin McRae** We should 1. See how to do something at Summer street school 2. consider the town hall by appointment, use the big room as a waiting room and the small room as the vaccination room following COVID precautions

**Gail Link McClausland** States that she has concerns over additional town hall traffic and would prefer using the school as it is better set up for volume

**Dr. Rocco Iocco** Agrees that the schools are better set up for a clinic

**Kristin McRae** States that she would coordinate back with the schools on logistics

**Dr. Rocco Iocco** The schools should participate – it's to their benefit

**Kristin McRae** We should look at the drive through model for adults. For children? She will talk to Sandy and Mary and the liaison and Linda Nacarro at the senior center.

**Dr. Rocco Iocco** Asks if there are any other business – Anyone?

**Dr. Rocco Iocco** Is Lowel st. project related to Boston Clear Water project?

(Not recorded) I don't believe it is related.



**All Members** - Reiterate the appreciation for the work that Kristin is doing and has done

**Dr. Rocco Iocco** – Will we be having further Zoom's

**Kristin McRae** Says will probably be as needed, probably monthly.

We should also bring the water supply certification before the board

Janet Way is first in line - Drill, Lab Report, Issue Certificate and add special conditions as needed.

**Dr. Rocco Iocco** (at 7:20)

Recommends that if there are no further issues I make a motion to close (at 7:20)

**Motion to close?**

All members are in favor to close.

**MEETING NOTICE**  
**TOWN OF LYNNFIELD**

(As required by MGL Chapter 30A, sections 18-25)

Town Clerk Date Stamp

Board/Committee Name: Board of Health

Day/Date: Thursday, August 27, 2020

Time of Meeting: 5:30pm

Location: Remote Meeting via Zoom

Note: NO BOH Public Meetings  
Between March - July due to  
Pandemic - COVID 19

NOTE: Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, and his March 15, 2020 Order limiting the number of people who may gather in one place, the meeting of the Lynnfield Board of Health will be conducted via remote participation. The public may not physically attend this meeting, but every effort will be made to allow the public to view and/or listen to the meeting in real time. Persons who wish to do so are invited to go to

<https://us02web.zoom.us/j/82185788033> and enter meeting ID #  
Meeting ID: 821 8578 8033

If you do not have a camera or microphone on your computer you may use the following dial in number:  
1-669-900-6833; Meeting ID: 821 8578 8033

Please only use dial in or computer and not both as feedback will distort the meeting.

One tap mobile

+13126266799, 82185788033# US (Chicago)

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Dial by your location

+1 312 626 6799 US (Chicago)

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+1 301 715 8592 US (Germantown)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

Find your local number: <https://us02web.zoom.us/j/82185788033>

**AGENDA**

1. Regular Meeting of the Board of Health Call to Order
2. Minutes of Thursday, February 27, 2020
3. Centre/Main Street Plaza, 2-18 Centre Court, 584-592 Main Street  
Upgrade Agreement Deadline; Local Upgrade Approval
4. COVID-19 Updates
5. Flu Clinic Planning
6. Other Business
7. Correspondence
8. Sign Invoices
9. Adjourn



Minutes of Regular Session  
Lynnfield Board of Health  
Thursday, February 27, 2020

Present:

Rocco Iocco, DMD, Chair  
Gail Link McCausland, DMD, Vice Chair  
Dr. Gary Mendese, Member  
Kristin Esposito McRae, RS, Health Director  
Linda Limauro, Recording Clerk

Attendance:

Linda Gillon	300 Main St	Historical Society
Bob Gillon		
Brian McGrail	599 North Ave	Attorney
Timothy Doyle	26 Main St	Attorney
Stephen Herlihy	96 Van Norden Rd	Property Manager
Andre Navasagian	584 Main St	Property Owner Rep
Joe Peznola	584 Main St	Hancock Assoc. (ENG)
Peter Recka	78 Crescent Ave	
Meghan Van Kernin	71 Crescent Ave	
Kino Mansfield	14 Ryan Rd	Historical Society
Jon Whyman	71 Crescent	Helper
Barbara Dunn	78 Crescent	Neighbor
Gamer Vartanian	584 Main Street	
Richard O'Neil	1 Windsor Rd	Resident

5:40 PM, BOH meeting called to order.

Minutes of Thursday, January 9, 2020: Vote to Approve 3:0

Lynnfield Meeting House, 617 Main Street, Act Relative to Potluck Events

K McRae opens. Meeting House has request to view events as potluck. Other outside events would be through a licensed caterer. Dr Iocco affirmed no money would be exchanged except for Country Store. Dr McCausland questioned that the caterer would do the heating themselves, with a sterno. K McRae said the licensed caterer would be responsible and asked that a fixed placard be placed in the kitchen saying the facilities are not available to caterers for cooking. As to updating/renovating the kitchen, Dr Iocco reiterated they are just replacing the sink and revamping so there would be better flow. K McRae added the new sink should have a grease trap since milk, cream, etc might be dumped down drain. It does not need a triple sink.

Dr McCausland made a motion to accept the Lynnfield meeting House as falling under the protection of Chapter 230 of the Acts of 214 so can be classified as such.

Motion approved 3:0

Dr McCausland made a 2<sup>nd</sup> motion to approve the kitchen upgrade so long as the upgrade does not encourage cooking and has a grease trap. Motion approved 3:0

#### **71 Crescent Avenue, Title 5 Discussion**

K McRae opened. She received the document just before the meeting but it did not have what variances are needed. It needs full compliance and a reserve area since they are trying to change 3 to 4 bedrooms. Also, a letter from Mass DEP stated that Pillings Pond is a tributary and thus requires 200' setback. Tim Doyle, Attorney, and the new owner, believes it is a clerical error; it has a 4 bedroom system, the listing from 1994 and the neighbors say it is a 4 bedroom house. Also, the system was unearthed showing 3 pits. K McRae replied the design is 3 bedrooms, the plan and permit show 330 gal flow. She said there is a note on the bottom trying to make it 4 but the COC shows 3. In the past, on a case by case basis, the BOH has overturned as long as capacity and all compliance are met. Dr Iocco said they would need a detailed plan with all variances on existing system and the board would take into account that it was done in 2000. The current homeowner said she doesn't want to have all that work done if it still won't be granted. K McRae said owner could contact her. She suggested they look at the section on Local Upgrade Approval. Dr Iocco said they are concerned with protection of the ground water as 2.5 separation has never been done before. Dr Iocco said to come back to the board with a detailed plan.

#### **Centre/Main Street Plaza, 2-18 Centre Court, 584-592 Main St Upgrade Agreement deadline Lapsed: Local Upgrade Approval**

Original stamped plan handed in at BOH meeting. K McRae opened. She referred members to the notes on the Jan 30<sup>th</sup> email. J Peznola submitted 3 attachments at the meeting; septic repair schedule, tenant agreement, and Amphidrome applications. R Ratta is contracted to do the system install, end of June/early July. In response to Dr Iocco, J Peznola said he will get dispatch engineers from the Danvers site. They are 10 minutes away. R Ratta is doing it in pieces, so as to minimize tenant disruption. There will still be access during excavation.

Dr Iocco said the deadline was originally Sept 1, 2019 at \$500/day penalty but the board will forego that as they don't want to be confrontational so don't need this now. Dr McCausland asked we be notified if not making deadline. There was a discussion on possible forms to use. K McRae said there is a Mass DEP form for non-compliance, if needed.

Dr Iocco said he is concerned with future use of the property.

Dr Iocco made a motion to accept the 6 variances from the plan dated December 10, 2019 revised through February 28 with sieve test in lieu of perc, 90' vs 100' (see plan for detail), as approved by Mass DEP.

Motion approved 3:0 All the variances on the plan 12/10/19 revised 2/20/20.

K McRae reminded them of \$500 fee. They said they would drop it off tomorrow.

#### **Permit Renewals**

-The Boston Sports Club, per DPH and code, requires a stamped plan for renovation.



-Lynnfield House of Pizza has renovated without specs, very complacent about permits (didn't renew until 1/20/20). It was decided to revisit inspection and if doesn't meet then they will come before the BOH, and perhaps have to get a food consultant.

-1 Hauler: P Nardone, has discrepancies with location of disposal. He has not been issued renewal permit. Letter to Town Counsel and ask if we need to give notice to customers.

Windsor Estates – Ques on tanks/were pumped or not

Dr McCausland asked if Windsor Estates should be notified that he doesn't have a permit. K McRae said the hauler needs to be sent a non-renewal letter which needs to go to town counsel.

-19 Ryan Rd has an emergency TT. They are doing pumping with P Nardone. K McRae was told to proceed through town counsel.

#### **Board of Health Burial Agent Designation**

Dr Iocco nominated, and signed form for, Linda Emerson (Town Clerk) for Board of Health Burial Agent. Approved 3:0

#### **Mosquito Control 2020 Best Management Practices**

Enclosed in meeting packet is the NEMMC 2020 Best Management Practice Plan for Lynnfield.

#### **Board of Health 2019 Town Annual Report**

K McRae to submit annual report to Town Admin. Reviewed at the meeting.

#### **Tobacco Control**

Centre Market – flavored products under counter. Needs re-inspection – if uncorrected then fine. R Beauregard to send letter and re-inspect within 30 days.

#### **A Healthy Lynnfield**

McRae attends monthly meetings; last month agenda enclosed. 2020 priorities. Job posting for Program Coordinator overseen by P Sallade.

#### **Health Director's Report for BOH Meeting Thursday 02/27/20:**

**Title 5:** There are outstanding cases where deadlines to repair/upgrade have lapsed.

MassDEP has templates (enclosed) for T5 Letter of Non-Compliance and Enforcement Order; these forms may be used by the BOH. See also of case example letter-form for 36 Grey Ln

15 Longbow Road has recently come to our attention with Failed T5 report but no corrective action; which format should be sent and should the timeframe be the standard 2 years? K McRae to send letter with 2 year requirement from date of T5.

Windsor Estates, completed tasks for Certificate of Compliance

A hauler did not list the correct location of disposal of contents; see letter drafted – seeking BOH members input before sending.

**Subdivision Perc Testing:** 20-lot subdivision at 1452 Main St percolation testing completed.

**Re-Development Discussion of Sagamore Golf Course:** Town Admin held a briefing with Department Heads and developers for proposed re-development of Sagamore Golf.

**Housing:** 880 Summer Street: An update was provided by the owner's attorney indicating the tenant (brother) passed away in Jan 2020 and the owner is working toward final resolution (see letter and note enclosed).

**Public Health Emergency Preparedness:** Table top exercise on Emerging Infectious Disease - Lynnfield participated in this exercise (in lieu of physical setup drill at the LHS). See Executive Summary for the exercise January 28, 2020, Methuen Police. McRae drafted after action notes (enclosed). This exercise was attended by BOH, Town Admin, Police, Fire, Public Works, School Nurse Leader and Lynnfield Clergy Council.

**Lynnfield Emergency Management (LEMA):** Lynnfield Emergency Management Director has established a group with Dept heads and group email. Holding monthly meetings.

McRae gave the LEMA group the link to info on Coronavirus for Schools, Business/Employers, and EMS (enclosed).

**Municipal Vulnerability and Climate Change Task Force:** Lynnfield Town Engineer is leading a Municipal Vulnerability Preparedness Planning Project (grant) and seeking input from Dept Heads. McRae, along with many representatives of Lynnfield attended the Feb 5, 2020 Community Resilience Building Workshop. Water and flooding were high topics.

**Drinking Water:** MassDEP held public hearing on proposed amendments drinking water & PFAS. ON Jan 27, 2020 MassDEP issued an updated Office of Research and Standards Guideline for drinking water of 20 ng/L for 6 PFAS compounds.

**Nurse:** 2020 Provider Re-Enrollment to received State-Supplied vaccines given to Sandy Wilson to complete – Sandy indicates this has been completed on-time.

Regarding reportable and communicable diseases, gave Sandy a memo to provide info and status update including immediate notification if Coronavirus is involved.

Coronavirus fact sheet enclosed. BOH website has link to MDPH Coronavirus updates.

Flu vaccine tracking: Sandy sent claims to Vicky D to submit to Umass Medical for processing; unclear why a middle-person is needed to process. 2020-2021 State Contract for Flu Vaccine – contract price list enclosed. 2020-2021 State-supplied flu allotment will be based on the total number of administered doses report in the MIIS as of May 30, 2020.

**IT/Computer Issues with Permitting Software:** We've been experiencing intermittent computer/web issues. The town implemented new computers in certain departments including the BOH office. A significant issue arose with the permitting software GeoTMS, which the BOH uses to generate permits. This is currently being worked on through the town's IT service, Retrofit. If



the software problem cannot be corrected, there will be an operating factor for the BOH and a cost factor to the town to provide a permitting-software. PeopleGIS permitting program for Building Applications has still been on hold pending a search engine issue per Town Engineer. The People's Forms BOH-module was not purchased by the Town and the BOH has been using the existing GeoTMS system for permits. To re-iterate this will be a problem if GeoTMS system is not resolved. BOH program to receive Title 5 reports on-line is available now and a memo was sent to T5 Inspectors.

**Other Business -**

**Sign Invoices** – Dr Iocco signed expense form for K McRae

**Correspondence -**

**Next BOH Meeting**    **March 19, 2020**            **5:30PM**  
                                 **April 16, 2020**            **5:30PM**

**Adjourn 8:17PM**

**Attachments:**

- Minutes of Thursday January 9, 2020
- gmail from D Bernazzani to K McRae Feb 4, 2020 re potluck permitting
  - Letter from L Gillon to R Iocco and BOH Feb 16, 2020 re Meeting House kitchen upgrade and potluck events
  - MA DPH Advisory regrading potluck events October 2014 –
  - Chapter 230 an act relative to potluck events
- letter from T Doyle to K McRae Feb 20, 2020 re septic system 71 Crescent Ave
  - Excerpt from BOH minutes April 12, 2018 re 71 Crescent Ave
  - Application for DSCP, 71 Crescent Ave, 8/7/2000
  - house/lot layout/septic
  - letter from T Doyle to K McRae Feb 24, 2020 re septic system 71 Crescent Ave
- gmail from K McRae to J Peznola Jan 30, 2020 re Centre Main St Plaza Plan comments and BOH mtg Feb 27, 2020
  - Local Upgrade Approval 2/20/20
  - from Hancock Associates to BOH 1/16/20 showing items transmitted
  - from Hancock Associates, J Lemieux, to K McRae Jan 16, 2020 re review of January 2020 Plan Review Comments
- letter from H Albro to R Ratta re Equipment proposal January 16, 2020
  - Amphidrome Plus Waste Water Treatment Equipment January 16, 2020 Amphidrome Preliminary checklist
- Given to BOH at meeting
  - FRMA -Amphidrome waste Water treatment System
  - from Hancock Associates Septic Repair Schedule
  - from Hancock Associates Guidelines for proper septic system use prior to signing lease
  - form for lease
- Feb 26, 2020 update Permit renewals as of 1/8/2020

- BOH Burial Agent Designation Form
- gmail from K Liakos to K McRae Mosquito Control town/city BMP Jan 23, 2020
  - gmail from K Liakos to K McRae Mosquito FAQ Jan 31, 2020
  - gmail from K Liakos to K McRae Mosquito 2020 Best Management Practices Jan 31, 2020
- Attachment 2020 Best Management Practice Plan Lynnfield
- Memo from B Curtin to Dept Heads and Boards Feb 10, 2020 re 2019 Annual Report
- 2019 Lynnfield Annual Town Report from Board of Health, Including Massachusetts Vaping Product Ban September 24, 2019 and photo of EDS-Go-Kit
- Healthy Communities Tobacco Control Program
  - letter from R Beauregard to Center Market February 26, 2020
  - letter DPH 105CMR 665 to Public Health Colleagues February 19, 2020
- Mtg notice February 10, 2020 Lynnfield Substance Abuse Prevention Coalition BOH Mission
  - book advertisement If You Love Me
  - AHL 2020 Priorities : Moving to Action
    - AHL 5 year goals
  - Lynnfield Interface Activity report July 1, 2019- November 30, 2019
  - Job posting Program Coordinator for Drug Free Community
- Record of Communication/Health Directors Report for BOH mtg 2/27/20
- Title 5 Letter of Non-Compliance
- Title 5 Enforcement Order A, B,C
- Letter of Non-Compliance August 5, 2010 to John Puleo 36 Grey Lane
- Property record 36 Grey Lane
- Title 5 15 Longbow Rd May 7, 2019
- DRAFT Letter to P Nardone from K McRae February draft 2020
- Map showing Sagamore
- Letter from T Doyle to K McRae February 5, 2020 re 880 Summer St
- Proposal from Spadafora Construction 1/09/2020
- Table Top Exercise region 3B Jan 28, 2020
  - Exercise invite EID TTX Jan 28, 2020
  - Executive summary
- Email from K McRae February 26, 2020 for EMS services and 911 PSAPs
- MVP program workshop agenda February 5, 2020
- Letter from Y DePeiza to Public Water Suppliers Jan 27, 2020
- Memo to S Wilson from K McRae February 13, 2020 re MAVEN case reporting
- DPH Fact Sheet 2019 Novel Coronavirus – January 2020
- Tracking of Flu Vaccine Clinics Fall 2019 to Winter 2020
- State Contract for Flu Vaccine BOH Alert 02-2020
- 2020-2021 Changes to Flu Pre-book
- Board of Appeals mtg notice Tuesday February 4, 2020 17 Edgemere
- Board of Appeals mtg notice Tuesday February 4, 2020 17 Edgemere bedroom count change
- Board of Appeals mtg notice March 10, 2020
- Memo to applicants on Board of Appeals agenda March 10, 2020 from K McRae February 21, 2020



**Minutes of Regular Session  
Lynnfield Board of Health  
Thursday, January 9, 2020**

**Present:**

**Rocco Iocco, DMD, Chair  
Gail Link McCausland, DMD, Vice Chair  
Dr. Gary Mendese, Member  
Kristin Esposito McRae, RS, Health Director  
Linda Limauro, Recording Clerk**

**Attendance:**

**None**

**5:40 PM, BOH meeting called to order.**

**Minutes of Thursday, December 12, 2019: Vote to Approve 3:0**

**Move Center/Main Street Plaza #3 to follow #6 A healthy Lynnfield**

**Permit Renewals**

K McRae opens (see list in packet). Received \$400 from Boston Sports Club for 3 permits. However the late fee is missing. Shall we take the late fee of \$35 for whirlpool from \$400 and sent letter? Yes, BOH agrees. McRae to send letter.  
5 food establishments did not send in their applications and/or fees:  
Lynnfield House of Pizza; David's Tea; Wakefield Elks; Sweetgreen; Centre Market.  
Tobacco permits are complete.  
Per K McRae, Installers and Haulers will not go onto 2020 list if they don't renew.  
Animal keeping – 5 pending renewal

**Budget Planning**

The budget was due and was entered into the Town's MUNIS system. Per K McRae, town policy is 1.5% increase for salaries; no other changes were made. Several supporting documents are included in the packet. Dr Iocco asked when it will go to the Finance Committee.

**A Healthy Lynnfield**

The January Agenda is not in yet. P Sallade gave a summary of the new state tobacco law, included in packet.

**Centre/Main Street Plaza, Upgrade Agreement Deadline Lapsed; New Septic Plan**

The septic plan (prepared by Hancock Assoc) was reviewed and comments are in the BOH packet. K McRae received an email return/reply stating there would not be any increase in project costs. Dr Iocco said the Town Administrator was unaware that the BOH had started the process with T Mullen as the timing was the BOH meeting on Dec 12<sup>th</sup> and Town Counsel's email-letter went out on Saturday Dec 14<sup>th</sup>. T Mullen sent a

Notice to Cure Deficiencies on Dec 14, 2019 to A Navasargian, Shura Laguna LLC. BOH received a new plan on Dec 26, 2019. Dr Iocco and K McRae had a meeting with the Town Administrator who wants to expedite it; the BOH has been working with them over 2 years, doesn't want to risk the public health. He wants it completed by April. Dr McCausland asked about the punch list and if it could be done by March. Dr. Iocco said R Dolan wants the timing framework and asked if K McRae needs to communicate with him on a weekly basis or through the normal process? Dr Iocco feels we should be proactive. Dr McCausland said the engineer should bring things to us. R Dolan said to be sure conservation and town engineer knew what was going on so there wouldn't be a holdup when it goes to them. K McRae said they didn't list waivers on plan so BOH can't vote on it tonight. Question whether to hold the BOH meeting Feb 13<sup>th</sup> or Feb 27<sup>th</sup>. It was decided February 27 would be the next BOH meeting to give them more time as there was a significant punch list. Dr McCausland said they should have everything squared away by then so the BOH can approve it. Both Dr Iocco and Dr McCausland agreed the BOH will do everything possible to expedite the approval once everything is turned in by Laguna. In reply to Dr McCausland's question any experience with them, K McRae said they are a new/change in company Hancock (vs prior plan by Hayes), the technology is new to us but the technology has been around. K McRae reiterated they should turn in the punch list by February meeting, and they should also turn in the \$500 revision/application fee. Briefly discussed deadline, 1 year extension in letter. Dr. McCausland has the idea to get it done by Sept, Oct. McRae notes (since upgrade agreement has lapsed) a letter of non-compliance to consider should enforcement letter be needed. Feb 27<sup>th</sup> meeting will give engineer time to complete punch-list but we can hold in reserve Feb 13<sup>th</sup> (but will not have the full BOH on the 13<sup>th</sup>).

**Health Director's Report** for BOH Meeting Thursday 01/09/20:

**Tobacco Regulations and Guidance:** New Federal minimal age 21; FDA enforcement policy on unauthorized flavored cartridge; MA DPH, An Act Modernizing Tobacco Control

R Beauregard setting up training for retailers

JUUL Labs – Dec 16 - Memo provided with chart on where permitted to sell in MA

**Rabid Coyote:** See memo posted as flier dated 12/31/2019

Have 1 dog under quarantine on Lynnbrook.

D Crockett posted notices along Lynn Woods.

Lynn and Lynnfield working together on this.

**Subdivision Perc Testing:** 20-lot subdivision at 1452 Main St percolation testing underway.

**Title 5:** There are outstanding cases where deadlines to repair/upgrade have lapsed. Windsor Estates, (cont'd message: while the newer segment of the system was installed last year, they are just finalizing grading, submitted a T5 report and) are seeking a certificate of compliance; still under review; water usage records were subsequently submitted –

Letter sent regarding water usage to 150 gpd; site visit Dec 2019; reviewing pumping records.

**Public Health Emergency Preparedness:** Table top exercise on Emerging Infectious Disease - Lynnfield is expected to participate in this exercise (in lieu of physical setup



drill at the LHS). Those listed on the Emergency Site Dispensing Plan are asked to participate. McRae held pre & mid planning meetings prior to the table top exercise. See Executive Summary for the exercise January 28, 2020, Methuen Police. Pre-meeting was on 11/18/19 followed by 12/9/19.

**Lynnfield Emergency Management (LEMA):** Lynnfield Emergency Management Director has established a group with Dept heads and group email. It appears will begin to hold monthly meetings.

**Municipal Vulnerability and Climate Change Task Force:** Lynnfield Town Engineer is leading a Municipal Vulnerability Preparedness Planning Project (grant) and seeking input from Dept Heads. Feb 5, 2020 Community Resilience Building Workshop.

**Drinking Water Quality:** DPH sent an email working with MassDEP regarding awareness lead and copper in drinking water and indicated Summer Street School levels above – discussed with John Tomasz and he provided labs reports, now within limits (see attached)

MassDEP is holding public hearing on proposed amendments drinking water & PFAS

**Nurse:** 2020 Provider Re-Enrollment to received State-Supplied vaccines given to Sandy Wilson to complete – due by Jan 31, 2020. S Wilson sent word that the re-enrollment is complete.

**IT/Computer Issues:** We've been experiencing intermittent computer issues. PeopleGIS permitting program for Building Applications has still been on hold pending a search engine issue per Town Engineer. BOH program to receive Title 5 reports on-line is available now; need to issue memo to T5 Inspectors and begin accepting online.

**FOOD:** FDA made a request today (1/9/20) to conduct a voluntary inspection at one of Lynnfield's establishment as part of a nation-wide study in food safety.

**Other Business –**

Dr Iocco will remain as chair

Dr McCausland will remain as vice chair

Kristin McRae will be out for surgery (Leo Cormier will work additional hours).

**Next BOH Meeting February 27, 2020 5:30PM**

**March 19, 2020 5:30PM**

**Adjourn 6:45PM**

**Attachments:**

-Minutes of Thursday December 12, 2019

-Center/Main St Plaza

-email from/to E Cademartori/J Peznola Jan 8, 2020 re design/plan

-email T Mullen to K McRae re BOH emails attached – Dec 16, 2019

-certified mail from T Mullen to A Navarsargian - Notice to Cure Deficiencies  
December 14, 2019

-letter to K McRae from A Navarsargian rec'd Dec 19, 2019

-email to J Peznola from K McRae Jan 7, 2020 re preliminary comments on  
repair plan

-memo to J Peznola from K McRae January 2020 – 584-590 Main St Preliminary  
Plan Review Comments

- Local upgrade Approval
- Test Pit Field Logs
- First Amendment to Agreement dated August 17, 2017
- Title 5 Local Upgrade Approval from BOH minutes Sept 27, 2018
- Permit Renewals - status as of 1/8/2020
- Budget Planning
  - budget projection (submittal) 2021
  - Personnel summary FY17 – FY20
  - 1.5% added FY21
  - BOH Mission statement
  - BOH Org chart
  - BOH FY20 Initiatives and Accomplishments
  - Significant Budget Changes FY21
- A Healthy Lynnfield
  - Summary of new state tobacco law per Ashley Hall from P Sallade
- Record of Communication/Health Directors Report for BOH mtg 1/9/20
- MHOA Federal minimum age of sale of tobacco raised to 21
- FDA finalizes enforcement policy on unauthorized flavored cartridge-based e-cigarettes  
January 2, 2020
- DPH guidance for non-age-restricted retail establishments
  - guidance for retail tobacco stores
  - guidance for smoking bars
- email from R Beauregard to Advisory Board Dec 23, 2019
- message from P Henley December 2019 to Tobacco Retailer
- letter from R Beauregard to Advisory Board members 12/13/19
- Farewell message from M Benes Dec 23, 2019 to Massachusetts Association of Health Boards
- letter from JUUL Labs to Wholesale and Retail Partners December 16, 2019
- joint-notice BOH/animal control Rabid Coyote Captured on Lynnbrook Rd - December 31, 2019
- Invite – Emerging Infectious Disease January 28, 2020
- Executive Summary re emergency dispensing site
- Lynnfield Emergency Management Meeting Agenda 12/16/19
- From C Richter December 23, 2019 invite to workshop on Feb 5, 2020
- Notice of Public Hearing from Dept of Environmental Protection M Suuberg
- Lead in Schools
  - email from K McRae to J Tomasz Jan 2, 2020 re water test results for Summer St School
- Certificate of Analysis 12/3/19
- lead and copper analysis report 9/4/19
- re-enrollment to receive State-supplied vaccine Jan 6, 2020
- Memo January 2020 re online submittal of Title 5 Official Inspection Reports and upload
- email from T Nerney to K McRae Jan 9, 2020 re FDA study
- meeting postings during upcoming holidays from T Reid December 16, 2019