

NO BOH
Meeting
Nov 2021

Minutes of Regular Session

Lynnfield Board of Health

Thursday, December 9, 2021

Present:

Dr. Rocco Iocco, DMD, Chair

Dr. Gail Link McCausland, DMD

Dr. Kelly Migliero, Member

Kristin Esposito McRae, RS Health Director

Maria Welsh, Recording Clerk

Attendees:

Kevin Conniff

Ralph Franco

Kimberly Franco Ferrante

Attorney Timothy Doyle

#1 Regular Meeting of the Board of Health Called to Order:

Meeting called to order at 5:35 PM

#2 Minutes of Thursday October 28, 2021 Vote:

Meeting Minutes from Thursday, October 28, 2021 Approved 3:0

#3 36 Canterbury Road – Building Application and Cesspool – A building permit was submitted for a 16'X47' addition to this property. Application states the addition is for a family room, sitting room with laundry and bathroom. There is a cesspool on the property. K. McRae sent a memo on August 17, 2021 to the applicant with a copy to the Board of Appeals stating that the project should be addressed by BOH before a building permit is issued. This memo was mailed to the owners of 36 Canterbury Rd. (Memo in meeting packet). Owner says that she did not receive memo. Owner now stating that a new building permit will be filed requesting a family room, without the addition of a bathroom and laundry. A footprint change still needs to be addressed; changing an existing garage into a habitable space. K. McRae references a memo from discussion with Town Counsel used in similar case from February 26th, 2013 stating: *I believe 310 CMR 15.301 compels the conclusion that the system must be upgraded if the renovation is extensive enough (as I gather it is) to require a building permit or occupancy permit. That section begins by requiring an inspection of any system prior to "any expansion of use of the facility served for which a building permit or occupancy permit from the local building inspector is required."* The section goes on to require an upgrade in the event of any of 3 contingencies, one of which is that "the system is a cesspool" (which is the case here), prior to the "expansion of use of the facility." I have to read this second reference to a facility expansion as meaning the same as the first, which is to say an expansion "for which a building permit or occupancy permit from the local building inspector is required." So I conclude that if the renovation requires either such permit, then the cesspool must be upgraded.

See also code reference 15.204 in packet: No person shall increase the actual or design flow to any cesspool or to any other system above the existing approved capacity, or change the type of establishment of a facility served by a cesspool, unless the cesspool or system is upgraded first. Upgrades to accept increased design flow shall be performed in full compliance with the requirements applicable to new construction unless a variance is allowed pursuant to 310 CMR 15.414. K. McRae states that there is a proposed change in footprint with the addition of a family room, sitting room, added laundry usage and bathroom.

K. McRae asks whether this situation was discussed as it went before the Board of Appeals. Each board does their own rulings and we like to alert people. This is why a memo from the BOH was sent to the owner and the Board of Appeals. Owner again states that she did not receive memo, but did everything she was told to do and was unaware until it was discussed with her contractor.

The board unanimously decides to adhere to Town Counsel's opinion. Dr. Iocco prepares to make a motion to deny expansion of 36 Canterbury Rd. based on the existence of a cesspool and the previous opinion of town counsel. Attorney Timothy Doyle, makes request to review Town counsel's notes and to have the issue tabled for next BOH meeting (scheduled for January 20, 2022). This request was granted and 36 Canterbury Rd. will be added to the next meeting's agenda.

#4 COVID-19 Updates: Board members confirm their availability/rotating schedule for attending LEMA meetings for January and February 2022. K. McRae explains that Massachusetts case positivity is up overall and Lynnfield's case numbers are increasing (case tally in packet). MA DPH bulletin on vaccine week of 11/3/21: as of Nov. 2, 2021, Pfizer introduced a new and effective vaccine for children 5 – 11 yrs of age. Lynnfield will have 2nd dose children vaccination clinics on Saturday, Dec. 4th, and Sunday Dec. 5th. The town has been assured that there will be enough vaccines for all who register. New cases in Lynnfield are impacting children under the age of 10, impacting many families and our school community. On December 4th, the latest variant Omicron was detected in the state for the first time. Lynnfield has received funding through the American Rescue Plan and the board reads through ways the town could best use this Federal funding. See enclosed ARPA Project Request Forms (water supply, COVID tracing, COVID Expenses) K. McRae test kits/BinaxNow – see memo DPH in packet. Dr. McCausland recommends Sandy send a few COVID cases to our new tracing team to test the newly formed (grant funded-Andover host) team.

#5 Budget Summit-Budget Planning: See agenda for annual Budget Summit Dec 8, 2021 in packet. McRae presented at the Budget Summit. McRae details the Select Board Annual Budget meeting for BOH FY 2023. – recorded so can check town website for presentation.

#6 Other Businesses:

An establishment, Centre Market, was inspected for reportedly selling menthol and flavored JUUL. Ron Beauregard inspected the establishment and found no products. K. McRae states I stand by the quality and quantity of my work over the 11 years, dedicated, even if town administration feels differently. McRae has been in touch with the Retirement Board. McRae asked whether the supervision change from the BOH to town administrator was temporary or permanent. Dr. Iocco indicated it was temporary, due to the pandemic for transparency. Dr. McCausland noted the BOH was not meeting regularly due to the pandemic. Dr. Iocco indicated it was temporary but an unspecified time. McRae notes it may change the decision.

#7 Correspondence: K. McRae provides a record of communication with Rick Dawe of Lynn Water Supply regarding 7 Timberhill Lane, Pillings Pond and Beaver Dam Brook. Local upgrade for 7 Timberhill Lane will receive the standard letter and notes if:

- 1) The proposed barrier be installed all around system.

Pilling's Pond and Beaver Dam Brook are both far enough away. Mr. Dawe just requires notification. Unless something unusual comes up, notification is fine. He will still review Hawkes Brook.

The BOH reviews the agenda for A Healthy Lynnfield Dec. 13, 2021 meeting and intervention training, including how parents can approach marijuana usage.

#8 Sign Invoices:

#9 Adjourn Future BOH meetings were scheduled for Thursday, Jan. 20, 2022 and Thursday, Feb. 17, 2022. Dr Iocco makes motion to adjourn at 7:15.

Attachments

Minutes of Regular Session Oct 28, 2021
36 Canterbury Road

- Application Review of Plan
- Town of Lynnfield Building Permit
- Plot plan
- Proposed Addition Plan
- Plot Plan
- Title V Official Inspection Form 6/15/2016
- Memo to Board of Appeals from K. McRae 8/17/2021
- Excerpt 15.301 System Inspection
- Town Counsel's response - March 21, 2013 regarding Cesspools.
- Excerpt 15.204 Increases in Design Flow to System

Covid 19

-Lynnfield Emergency Management Agency (LEMA) Meeting schedule w. BOH Dec 2021
-Lynnfield Emergency Management Agency (LEMA) Meeting schedule w. BOH Jan 2022.

- Number of positive Lynnfield cases.
- Number of confirmed Lynnfield cases.
- Massachusetts vaccine Covid-19 program – What providers need to know 11/3/21
- Lynnfield Public Schools Covid – 19 Vaccine Clinic Ages 5-11 years old only 11/13-11/14/21
- Covid – 19 vaccination information sheets.
- MDPH Omicron variant detected in Massachusetts 12/4/21; residents urged get Covid-19 Booster
- American Rescue Plan – Example of uses of federal funding.
- Town of Lynnfield ARPA Project Request Forms.
- Memo Commonwealth of MA to Local Boards of Health; BinaxNOW local testing 8/3/21

Requirements for BinaxNOW testing for local Board of Health.

Abbott BinaxNOW Readiness Review Checklist

Local Board of Health Application for Coverage under Statewide CLIA Certificate of Waiver.

Abbott BinaxNOW Covid-19 AG Card – Training Checklist.

BinaxNOW request form

Meeting Notice – Select Board Annual Budget Summit 12/8/21

Correspondence

- Record of Communication between K. McRae and Rick Dawe Lynn Water & Sewer 10/28/21
- Public Meeting Notice: Northeast Massachusetts Mosquito Control and Wetlands Management District Nov. 18, 2021.
- Meeting Notice: Lynnfield Substance Abuse Prevention Coalition- A Healthy Lynnfield.
- Tips Training – Training for Intervention Procedures. -Healthy Conversations, Healthy Kids Series.

Minutes of Regular Session

Lynnfield Board of Health

Thursday, October 28, 2021

Present:

Dr. Rocco Iocco, DMD, Chair

Dr. Gail Link McCausland, DMD

Kristin Esposito McRae, RS Health Director

Maria Welsh, Recording Clerk

Attendees:

Luke Roy Engineer for LJR Engineering

Jon Whyman of Whyman Construction.

Peg Salladae – A Healthy Lynnfield - Abuse Prevention Coordinator

#1 Regular Meeting of the Board of Health Called to Order: 5:35pm

#2 Minutes of Thursday September 23rd, 2021 Vote:

Meeting Minutes from Thursday, September 23, 2021 Approved 2:0

***This call is being recorded announcement.**

#3 7 Timberhill Lane – T5, LUA / Water Supplier Consultation.

Luke Roy, Engineer from LJR Engineering, explains that this project is a septic repair / replace due to existing set up being too close to a public water supply. K. McRae gives the code references, describes the plan revisions and contact with the water supplier. Luke Roy explains his plan to move the tank to front of property, moving the pumping chambers forward and away from water table. There are five waivers requiring approval from BOH. In addition, a poly barrier has been requested to be installed. Dr. Iocco asks if the system is currently in failure and Luke replies yes. Dr. Iocco makes motion to accept all five waivers as listed with the addition of the poly barrier. **All in favor. Motion passes 2:0.**

#4 2 Lakeview Drive – T5, LUA Water Supplier Consultation.

Luke Roy, of LJR Engineering explains the project as a repair / replace system. System is located in front of property, and Luke is proposing a new tank. The property-side is on a slab (no basement) leach pits selected for spacing/smaller footprint, with deeper groundwater. Two waivers are in need of approval from the BOH. K. McRae has sent the plan to the water supplier for consultation. K. McRae asks if a garage is on the slab and if there is any barrier. There is not. Dr. McCausland makes motion to pass the two waivers requests with the addition of a new poly barrier: **All in favor. Motion passes 2:0.**

#5 12 Hampton Court – T5 New Construction.

K. McRae opens (refer to memo of plan review Oct 22, 2021 in packet) and explains there was approval in 1979 but the site was not constructed. Luke Roy presents his plan for new construction of septic system. There are no waivers, and no barrier is required. Back of property is close to wetlands, so plan is for septic to be built in the front. There are some constraints with the lot as the system will partly run under the driveway. Vent off the driveway. K. McRae asks what category of drains are near and Luke replies ordinary drains. K. McRae also asks if it intercepts high ground water and Luke says he isn't sure,

would need to open it. K. McRae says that a barrier is also proposed with this plan. Dr. Iocco states that this is new construction., and there are no variances needed. Dr Iocco makes a motion to accept plan as is.
All in favor: Motion passes 2:0.

#6 97 Locksley Rd - T5, LUA Water Supplier Consultation.

K. McRae explains that there is one variance to drinking water supply the tank and leaching system will not meet. Jon Whyman states, while there is not T5 report, it is in hydraulic failure. Dr. Iocco asked if it will be for same bedroom count; Yes. The proposed repair as close to the 400 FT. set-back as possible. Dr. Iocco makes motion to grant local upgrade approval request, 325' to water supply, with the approval of the water supplier.

All in favor. Motion passes 2:0.

#7 36 Edgemere Rd. T5, LUA Water Supplier Consultation

K McRae notes the plan was sent to the water supplier.

Jon Whyman explains that this is a repair/failure and system needs to be reconstructed, pipes to be moved. Front of property would work but would be costly and would require a variance, pine trees, water and gas utilities, driveway, and plumbing issues all associated with proposing in the front yard. Jon explains that it is currently beyond 100 ft (Pillings Pond), and requests a variance to allow 140 FT system setback (Pillings Pond) instead of the required 200 FT. K. McRae asks about gas lines on the property and Jon relies yes there is one gas line on property.

Dr. Iocco makes motion to allow local upgrade of system to 140 ft., VS 200 FT.

All in favor. Motion passes 2:0.

#8 49 Homestead Rd. – T5, LUA K. McRae explains that the variances for this project are confusing (not listed according to T5 setbacks and wording “Variance” instead of Local Upgrade Approval). J Whyman notes its an older system won’t pass; new system meets reasonable feasibility moving from back to front. Chamber, plumbing is further away. A larger tank is preferred. McRae notes she spoke with Rick Dawe, water supplier regarding Beaver Dam Brook. BOH members question the wording on the variances and motion to accept the last 3 listed as local upgrade approval but need to re-word the first 3 using terminology in 15.211. Dr. Iocco makes motion to accept the 3 variances with a rubber barrier to be included. **Motion passes 2:0.**

240 Essex Street is briefly discussed but not on the agenda as Jon Whyman hands a plan in during the meeting. There is also a variance request similar to those listed in 49 Homestead which should be re-worded to reflect setbacks in 15.211. Not likely to come back per conversations with water supplier (Beaver Dam Brook long distance from Lynn Water Sewer source). No vote was taken.

#9 A Healthy Lynnfield – Updates presented by Peg Salladae. By request, Peg Salladae, the program’s Abuse Prevention Coordinator to meet before the board for the first time. A Healthy Lynnfield’s main mission is to help residents make positive choices and prevent substance misuse, and improve quality of life for those who are impacted. They offer support programs to assist all young people thrive within our community. Ms. Salladae spoke about her background and presented both current and future topics that involve the program. The board thanked Ms. Salladae for her work and was pleased with the program’s results.

#10 COVID-19 Updates:

LEMA schedules are discussed and set.

Grant: Contact tracing – Applicants review in progress with collaboration with Andover

Vaccine: 300 pediatric doses were ordered by Glenn Davis

ARPA: American Rescue Plan Act – Requests are due Nov. 1st. The board must make choices on how to utilize this budget. K. McRae suggests a community health and wellness representative, and asks board to look over handout sheet, and email her with requests and ideas.

#11 Other Businesses:

A guide sheet for when to contact the department of Revenue over tobacco/vape issues is discussed. K. McRae mentions a town Zoom account and asks the BOH members for input - the board has no direct need for this at this time, however if there's an extra license would take it. Dr. Iocco asks if the Center St. septic project will be completed by winter. Installation in progress now. See BOH packet attachments

#12 Correspondence -

Lynnfield Center Water District letter to customers testing for PFAS.

#13 Sign Invoices K. McRae presents mileage/invoices.

#14 Adjourn. Dr Iocco calls meeting adjourned at 7:20 PM.

Next BOH meeting is scheduled for Thursday, December 9th.

Attachments:

Meeting Minutes from Thursday, September 23, 2021

7 Timberhill Lane:

- 15.411 Process for seeking a Variance from Approving Authorities
- 310 CMR: Department of Environmental Protection. 15.211 Min Setback
- Application for Disposal System Construction Permit: 7 Timberhill Lane.
- Waivers 1-5 for 7 Timberhill Lane.
- Lot Map
- Street Map
- Mailing from K McRae to Richard Dawe, Superintendent Lynn Water & Sewer.

2 Lakeview Drive:

- Waivers 1 & 2 requesting local approval.
- Application for Disposal System Construction Permit.
- Email from K. McRae to Davis Scribner – Peabody Water Supply.
- Street view map – marking proposed replacement site.
- Plot plan 2 Lakeview Drive.

12 Hampton Court:

- Application for Disposal System Construction Permit.
- Email from K. McRae to Luke Roy, PE – LJR Engineering – Proposed Subsurface septic disposal plan.
- Plot Plan
- Plot and street plan.
- Proposed but not constructed plan from 1979

97 Locksley Lane:

- Application for Disposal System Construction Permit.
- Variance request requiring an LUA waiver. J. Serwatka.
- Map – Street view
- Plot plan with system location.
- Mailing from K. McRae to Davis Scribner of Peabody water Supply.

36 Edgemere Rd.:

- Application for Disposal System Construction Permit.
- Variance request LUA Waiver from J. Serwatka.
- Map Street view.
- Plot plan with system location.

49 Homestead Rd.

- Application for Disposal System Construction Permit.
- Variance request requiring LUA waiver – J. Serwatka.
- Plot plan with system location.
- Map – Street view.

A Healthy Lynnfield

- Resource contact information.
- About us
- AHL Coalition Involvement Agreement with Board of Health.
- Healthy Conversations, Healthy Kids Series.

COVID-19 Updates:

- LEMA -Lynnfield Emergency Management Agency, Meeting Schedule and Zoom information.
- Total positive tests week of 9/8/2021.
- Email to K. McRae from Jana Ferguson of DPH Re: Vaccines.

Other Businesses:

- When to Contact Dept. of Revenue over Tobacco / Vape Issues.
- BOH Flier Flu Clinic Town Hall Employees 10/28/21
- BOH Flier Flu Clinic Council on Aging 10/13/21
- Lynnfield Town Warrant , Town Meeting 10/18/21
- Select Board Meeting Notice 9/27/21
- Mass Air Sensor Grant Opportunity, Lynnfield BOH narrative grant submittal

Correspondence:

Lynnfield Center Water District – Letter to Customers, PFAS Testing

Minutes of Regular Session

Lynnfield Board of Health

Thursday, September 23, 2021

Present:

Dr. Rocco Iocco, DMD, Chair
Dr. Gail Link McCausland, DMD

Dr. Kelly Migliero
Kristin Esposito McRae, RS Health Director
Maria Welsh, Recording Clerk

Attendees:

Patricia Fabbri, 344 Pillings Pond Rd
Wade Luongo, 8 Huckleberry Road

#1 Regular Meeting of the Board of Health Called to Order:

Dr. Iocco calls meeting to order at 5:35pm

#2 Minutes of Thursday, August 19, 2021

Vote: 2:0 minutes accepted.

This call is being recorded announcement

Item #4 taken out of order (no one present for #3)

#4 8 Huckleberry Road – Building Application and Title 5

Kristin McRae explains summary included in meeting packet for 8 Huckleberry Rd. Building application was filed with BOH on 8/27/2021 requesting to expand kitchen, garage and front porch. As part of BOH review, it was discovered that site was sold to new buyers last year and Title 5 report was not filed with BOH. Site has 4-5 bedrooms, but septic system is for a 3 - bedroom home, DSCP 1987, 3 bedrooms, 330 gpd. Flow, 1000 gal. tank, 1008 Sq. ft. field. BOH to decide 1. How to handle building application sign-off request, 2. How to handle undersized septic system to number of bedrooms.

Dr. Iocco addresses home owner, Wade Luongo, asks if there are in fact 5 bedrooms and Mr. Luong answers 1 room is being used as an office. Dr. Iocco asks if office room has windows and a closet and home owner replied yes. Dr. Iocco clarifies that these features make this a countable bedroom. Home owner states he purchased home as a 5 bedroom; never referred to as a 4 bedroom. K. McRae says the Assessor's office has it listed as a 4 bedroom. Dr. Iocco doesn't want to hold up building permit; wants to avoid building a new septic system since system is functioning. K. McRae suggests an upgrade before selling this home. K. McRae questions if she should write letter stating not accepting Title 5 report due to untimely submission and incorrect bedroom to inspector. Also, request to have a 1500 gal. tank installed at some point. New tank would be less costly than replacing entire field. Installing a new system would be tricky since there's an inground pool and ledge. Installation of a 1500 gal. tank would help situation. Owner could also write a letter stating before selling home, installation of a 1500 gal. tank – a 2 compartment tank would happen within the next year. Dr. Iocco suggest this go through Town Counsel. A request like this has to go through town administrator then to town counsel. Need letter first, then K. McRae will sign building application, forward letter to town administration, then to town council. Home owner says he will do the right thing. K. McRae adds footprint of home is being changed – Dr. Iocco states system is undersized for a home over 3 bedrooms; there are 5 here. BOH could ask for entirely new system, causing delays in owner's plans. K. McRae mentions if letter from home owner is received within a day, building application would be signed and sent out within a day or so. Kristin suggests that home owner use the mail drop box outside with letter addressed to her attention. Dr. Iocco makes motion: To allow K. McRae, BOH Director, to sign off on building permit pending receipt of letter from home owner – stating that a 1500 gal. – 2 compartment tank be installed within 1 year. Also, upgrade for system if fails, or, upgrade prior to selling property. All members agree. Motion passes 3:0.

#5 Recycling Committee Discussion on a Plastic Bag Ban:

Patricia Fabbri, sent an email indicating the Recycling Committee has voted to table discussion and requests removal from our agenda.

#6 Citizen's Request for Discussion of Pesticide use for Ornamental Reasons:

Patricia Fabbri requested continued discussion on this topic since the last BOH meeting. She begins by asking the board if they read through the information, she submitted last BOH meeting. The board reads statements from various towns, regarding private use of pesticides. P. Fabbri is suggesting that something be posted regarding town properties using organic lawncare plans. K. McRae suggests John Tomaz write a letter (describing the Town's use), then BOH may join. Dr. Iocco supports these efforts and adds thoughts about posting on town website with links and the local papers again with a different twist. K. McRae adds statements from other departments i.e.; public works - to educate residents on the benefits of a better environment. BOH agrees with and supports all efforts made in educating town residents through the various town properties that have been grown this year through organic maintenance. It's determined that a combined statement from DPW, Conservation Committee and BOH is the overall preference.

#7. Mosquito Control: K. McRae begins explaining the NEMMC (Northeast MA Mosquito Control) plans to spray certain-specific areas of Lynnfield: Playing fields Jordan Park and Newhall Park, and a barrier treatment and ULV Adulticide at 4 public Lynnfield schools. West Nile virus has been found in neighboring communities near Lynnfield. One positive sample was found in Lynnfield this summer and DPH has recorded a positive human case on September 16, 2021, in Bristol County. Separately McRae sent a press release for the newspaper in Sept 2021 regarding the change in risk level from moderate to high for WNV (enclosed in packet).

#8. Covid-19 Updates: K. McRae collects the October LEMA meeting schedules for board members according to their availability/rotation. Kristin then presents new mask postings to be used for all public buildings in Lynnfield. Information regarding vaccination clinics and Covid statistics within the meeting packet are referred to and read by board. Lynnfield's cases hovering between 44-42 cases at this time. K. McRae shares ideas for using financing from the American Rescue Plan Act and asks the board to present their ideas as Lynnfield fits all or most of the criteria for funding COVID-19 related issues. Dr. Iocco mentions Public Health Nurse and K. McRae agrees and adds the possibility of a community health worker to act as liaison with A Healthy Lynnfield and to attend meetings/public events.

#3 Open Meeting Law Complaint by Michele Cole re: Board of Health's participation in joint meeting with Select Board and School Committee.

(Taken out of order after Agenda #8) Dr. Iocco opened by noting the filing of the Open Meeting Law and indicated that BOH members can have town counsel respond. McRae expressed the Open Meeting Law complaint is in the packet that the BOH members have and they have the option to have town counsel respond. The BOH read the complaint filed in their packets. Dr. Iocco asked if we responded to the records request noted in the complaint. McRae clarified that we did not receive the records request as it was not forwarded to us by the Town Clerk. There was a separate public records request filed by another (Kelly Regan) and we did respond to that (through town counsel and town clerk). The BOH voted 3:0 to give the Open Meeting Law complaint to town counsel for response.

#9 Other Businesses: K. McRae announces Derek Fullerton has been secured as an independent contractor to assist with educational inspections with Lynnfield's tobacco control coordinator, Ron Beauregard.

#10 Correspondence:

K. McRae states request for public records separate from Open Meeting Law is listed here. A different person requesting records, and these were sent directly to Town Attorney Thomas Mullen and the Town Clerk.

New intern has started and will be looking at ads for Community Health Workers and Public Health Nurses for wording job descriptions to piece together job outlines. His duties are mostly done remotely.

Peg Salladae would like to meet with board and speak about A Healthy Lynnfield at next meeting. She will be put on the up-coming agenda.

K. McRae suggests setting the next 4 BOH meeting dates and BOH members selected: Thursday, Oct 28, 2021, Thursday, Nov, 18, 2021 (Tentative if have any cases) Thursday, Dec., 9, 2021 and Thursday, Jan., 20th, 2022. * Dr. Migliero leaves meeting*

#11 Sign Invoices: K. McRae submits mileage invoice to be signed by Dr. Iocco.

#12 Adjourn: Dr. Iocco calls meeting adjourned at 7:35 PM. Motion passes 2:0.

Attachments:

Meeting minutes - Thursday, August 19, 2021

Open Meeting Law Complaint (8/18/21 Joint Meeting)

- Email Michele Ingalls to Ipsc 9/15/21
- Open Meeting Law Complaint Form, Received Sept 15, 2021
- Attachments pages 1-4 Description of Alleged Violation
- Appendix A – E

8 Huckleberry Road

- Summary Notes and Email to Dr. Iocco, 9/3/21
- Building Department Permit Index Card 1974-1991
- Building Application
- Certified Plot Plan 3/14/21
- Application Review Form, received 8/27/21
- First & second floor plans
- Application for Disposal Works Construction Permit, 1987
- Sketch of sewage disposal system-8 Huckleberry Rd
- Letter to Owner, 3 bedrooms, 9/16/2014
- Title 5 Official Inspection Form, Dean Dynan, 6/29/20 (Received late 9/2/21)
- Sketch of sewage disposal system-8 Huckleberry Rd.
- Photo of tank outlet
- Photo of D-Box

Plastic Bag Ban Discussion

- Email To K. McRae from P. Fabbri. Re: Plastic bag ban, 8/12/21
- Email to K. McRae from P. Fabbri re: Plastic bag ban. Committee tabled, 9/17/21

Pesticides for Ornamental Reasons

- Email to K. McRae from P. Fabbri requesting to be on meeting agenda, 8/12/21
- Draft Statements from P. Fabbri for BOH to Consider re: Use of harmful pesticides received 9/20/21
- Pesticide Risks on Lawns and in Homes, ehhi.org
- MPAC Marblehead Pesticide Awareness Committee, A Living Lawn
- Step process for soil care.
- Soil Aeration and thatching.
- Seeding.
- Diseases and Insects that effect healthy lawns
- TURI, UMass Lowell, Information resource page, Resources for a Pesticide Free Lawn

Mosquito Control

- Email from K. McRae to Kimberly Foss regarding town parks, schools and mosquito control, 9/20/21
- Public Notice: Northeast Massachusetts Mosquito Control and Wetlands Management; Mosquito spraying
- Barrier treatment request form.
- ULV Adulticiding Treatment Request Form.
- FAQ's Northeast MA Mosquito Control District, Re: Barrier and ULV Adulticide for parks and schools.
- Mosquito Control Activity Log in Lynnfield, 1/11/21-9/16/21
- Email To K. McRae from regional public health re: West Nile virus case in MA, 9/16/21
- Zoom meeting agenda – NEMMC District Board Commissioner 9/9/21
- McRae Press Release for Newspaper, Risk Level Change Sept 2021
- HHAN ALERT – Moderate WNV positive mosquito samples and Risk level change, 8/26/21

COVID-19 Updates

- LEMA Meeting schedule w/BOH October 2021.
- Town Order-Select Board and Board of Health re: Mask wearing indoors in any town own building.
- Email To K. McRae from Chief Davis re: Covid-19 vaccination clinics, 8/28/21
- Covid-19 statistics updated by Chief Davis. 8/28/21
- Massachusetts Covid-19 Vaccine Program, 8/26/21
- Covid-19 cases- MassDPH in fully vaccinated individuals, 8/31/21
- CDC Info Sheet COVID19- Case Investigation Non-Healthcare Workplaces
- US Dept of the Treasury, Coronavirus State and Local Fiscal Recovery Funds plan.
- Example Uses of Funds
- Town of Lynnfield ARPA Project Request Form
- Email To K. McRae from Lisa McCarthy at mass.gov: Color contact info; Updated BinaxNow Test Kit Guidance; DPH Mask requirement; APHC Info & Survey; Covid-19 testing sites, CTC Resources, 8/4/21

Other Business

- Email To K. McRae from Ron Beauregard announcing Derek Fullerton, an independent contractor, tobacco, 9/3/21

Correspondence

- Records request from Kelly Regan
- Northeastern Master of Public Health Practicum Approval Form, Intern Aaron Cavanaugh 8/31/21
- Meeting Notice-Town of Lynnfield; Lynnfield Substance Abuse Prevention Coalition, 9/13/21
- Email To K. McRae from Margaret Sallade; A Healthy Lynnfield and Night of Hope updates, 9/16/21
- Memo A Healthy Lynnfield; Night of Hope.
- Proposed Amendments to the MA. Toxic or Hazardous Substance List. 8/20/21
- Notice of Public Hearing: MEPA and EEA to hold hearings on proposed amendments.
- DEP -MA. Air sensor grant opportunity application guidance and grant requirements, 7/20/21

Minutes of Regular Session

Lynnfield Board of Health

Thursday, August 19, 2021

Present:

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

Attendees:

Dean Luscomb, Title 5 inspector,
Patricia Fabbri, Lynnfield Pest Awareness Sub Committee,
Brian Gear, Homeowner
Joe Serwatka, Engineer,
Jon Whyman, Installer

#1 Regular Meeting of the Board of Health Called to Order:

Dr. Iocco calls meeting to order: 5:40 PM

#2 Minutes of Thursday, July 15, 2021 BOH Meeting- Approved 2:0

#3: 10 Beechwood Rd: Title V Needs Further Evaluation

Kristin McRae opens with summary (page 6 of attachments) Title V report for 10 Beechwood Ave is marked both "Conditionally Passes, replacement D-Box is needed, and "Needs Further Evaluation; System is less than 100ft. to a tributary. BOH to evaluate whether system upgrade is required, or component replacement. System within the jurisdiction of MassDEP. System is less than 100ft to tributary where 200ft is required. Retesting: Initial T5 report marked FAILS. Perc testing applications done revealed recorded level of 96inches of weep in test pit. Engineer believes weep influenced by effluent of leaching pit, and the bottom of pit is several inches above water table. 4ft., of separation is required. System is at least several inches above water table. Re-testing on 8/17/2021, to determine of systems is above or below ground water. Standing water was found in test pit, 111" system is above ground water.

K. McRae addresses Homer owner Brian Gear, Jon Whyman, contractor who was onsite for soil testing, and Dean Luscomb, Inspector for Title 5 inspection report. Property is being sold and in close proximity to Pilling's Pond; a marked tributary. Title 5 inspection report marked "Needs further evaluation". Page four of report states "System will fail unless BOH or water supplier determine the system is functioning protecting public health and environmental safety. Also, D-Box needs replacement, system is less than 100 ft. to pond, this could lead to repair needed to be approved by MassDEP. Leaching pits don't have 4ft. of separation to ground water, tank is 1K gallons. System will fail unless BOH determines otherwise. BOH has granting authority to issue permits from 100ft. – 200ft setback to tributary; if property doesn't meet at least 100ft then its needs MassDEP. Dr. McCausland asks if the property is for sale and K. McRae replies yes, 1971 permit is there and home is 2 bedroom. Dr. Iocco calls on engineer Joe Serwatka who adds that the failing criteria here is the estimation of water table. Soil evaluations found in pits above water table, which could remove failure criteria for pits. Dr. Iocco asks if pits are paved over. Yes. J. Whyman indicates he can add risers with cast iron covers. During test, side of one leaching pit was visible. Dr. Iocco asks the depth of the pits – 9 ft below grade, 6 ft. drywell. D-box is 90 ft. from Pilling's Pond. Home owner spends summers at this property and has system pumped twice yearly since 1996; uses Jason Elliot. Dr. Iocco requests to see pumping records. K. McRae states there's only one pumping

record on file. The home owner can provide proof of pumping. Pumping records are a state requirement including Lynnfield. If system is being pumped that often, town should know. Dr. Iocco says if D-box is repaired the system passes. K. McRae replies system already failed due to proximity to pond. Not common to see something 9 ft deep into ground. This doesn't allow for much cleansing before hitting ground water. Report was marked correctly by Title V inspector as "needs further evaluation" meaning system fails unless BOH determines this is protective or not.

K. McRae explains "Conditionally Passes" due to d-box needing replacement. BOH needs to evaluate all factors before failing, and she stands by Dean Luscomb's assessment (marked Conditionally Passes and Needs Further Evaluation). Dr. Iocco and Dr. McCausland discuss and conclude; system has been functioning as is since 1973 with no issues. A new system may require new placement and many other time-consuming variances.

K. McRae adds to call/email MassDEP letting them know this D-box needs to be replaced, and since system is less than 100ft., do we have the jurisdiction to issue permit. BOH can't issue permits for tanks or system, D-box is part of system, and wording is up to 100ft. Dr. Iocco states depending on what MassDEP comes back with an OK, allow D-box replacement, once application is submitted.

Dr. Iocco makes motion to not order full system upgrade for 10 Beechwood Rd., replacement of D-box pending approval from MassDEP. All in favor. Motion is passed 2:0.

#4 Mosquito Control:

K. McRae explains the DPH called her to inform of one positive mosquito for West Nile Virus in a sample from the North West quadrant of Lynnfield. Town's risk level still remains low, per DPH. Links for mosquito diseases like West Nile virus and Triple E within Massachusetts's Commonwealth are posted and updated on the Lynnfield town website. Cases start to present themselves in late summer. See also DPH Arbovirus Surveillance Program Report for week 8/8-8/14 in packet.

#6 Citizen's Request for Discussion of Pesticide use for Ornamental Reasons:

(Presented out of agenda order)

Patricia Fabbri begins by asking the criteria for mosquito spraying in town; K. McRae answers a combination of requirements are met from MDPH, and Northeast MA Mosquito control program. They look in catch basins and other places for larvae sightings ahead of spraying. Any further action is dependent on their data collection. Mammal biting, human biting and transmission of diseases like Triple E and West Nile. Lynnfield at low risk with one sample as of now. P. Fabbri responds by mentioning how very little mosquito spray reaches the target. In treatment for Zika, mosquitoes built up a tolerance and were not diminished by spraying which kills more fireflies and bees. Also, private spraying companies spray at off times and need to exercise more control. Dr. McCausland sees residents are using private companies more. P. Fabbri says this is a potential problem for natural resources for communities.

Patti Fabbri discusses pesticide use for ornamental reasons. Ms. Fabbri indicates Lynnfield Commons has been a town project example – only using organic maintenance methods for growing. Ms. Fabbri would like endorsement from BOH such as a sign or statement posted in recognition of the project and Mr. Chip Osborne project leader. K. McRae and all board members would like more information and details before fully endorsing. Ms. Fabbri also requests posting in town during seasonal lawn care times - discouraging use of store - bought chemicals and information on organic growing success. The BOH members are interested in learning more and Ms. Fabbri will follow up.

#5 Covid-19 Updates: (Out of Agenda order)

K. McRae gives quick update on town's weekly Covid-19 case numbers. Lynnfield is at 41 out of 1,207 tests. More people are getting tested, than the prior week. See the stat's enclosed. State confirms that break through cases are low, statistically and that vaccines are still better. K. McRae reads a letter from grateful resident thanking the BOH for the work they are doing to keep children safer Covid -19. State extended the contact tracing program through end of 2021.

Region 3B grant proposal with Andover was approved. We will receive \$300,000 per year for 2 years. Town also has grant funding, which allows for continuing contact tracing in-house in Lynnfield.

K. McRae reads outline located in meeting packet, where grant fees may be best applied, including a new hire to assist town nurse and act as a liaison between schools and Region 3B. K. McRae addresses the board about presenting outline to town accountant and Dr. Iocco and Dr. McCausland are in agreement to find out the amount of funds available; K. McRae to meet with Town Accountant.

K. McRae asks board to read the BINAX information included in meeting packet to weigh pros and cons regarding testing when tests are abundantly available. Dr. Iocco believes that contact tracing is more valuable and more of a priority, and asks how schools will use BINAX. K. McRae replies they're planning to use it. Testing when there's one positive student and not send all home for quarantining. Dr. Iocco is not against another useful tool for handling Covid, and reiterates addressing town account about available funds.

LEMA meetings: Local Emergency Management Architecture – Per town Manager, 1 board member must attend these meetings. Board marks calendars for rotating attending LEMA meetings.

All members are guided to a resume included in meeting packet from a student with academic interest in Epidemiology. BOH members are very interested in this person. K. McRae will be meeting with the public nurse in Andover to discuss an outline for the grant and can also discuss applicant to be utilized in the best areas of experience and interests.

#7 Other Businesses:

K. McRae announces P. Fabbri requested to be in the next BOH meeting for September to discuss implementing a plastic bag ban. Dr. McCausland asks if other towns had to get BOH approval for their bag bans. K. McRae suggests the BOH not take this on as a board regulation, rather, if the ban goes through other departments with support, it become a by-law. Then it becomes a town issue and then should be addressed at a town meeting as a possible course of action. We will hear more when it is presented at our next BOH meeting.

K. McRae mentions that an inquiry has been made as to how to contact BOH members. She asks members their preference and both members agree to be contacted through BOH by name.

#8 Correspondence:

K. McRae explains that Lynnfield has the opportunity to have air quality tested by MassDEP through a new grant. If BOH agrees, locations can be set up within the town for this. All members agree and welcome this opportunity.

15 Melch Rd – See Complaint Log enclosed. K. McRae revisits 15 Melch Rd in Lynnfield, due to many complaints. This project status – awaiting revised plans and she is not sure if project will move forward. Project was stopped due to noise complaints and breaking rocks over the leaching field; Building Inspector provided time limit on hammering/noise. Now stands between home owner and engineer to supply a revised plan.

ZBA – see enclosed

Tobacco Free Generation. Brookline first in the nation to introduce this idea. When a consumer reaches a certain age – gradually would not be able to purchase tobacco products – yielding a tobacco free generation. Public works applied for a small composting operation located at the DPW and DEP approved.

#9 Sign Invoices

#10 Possible Executive Session: Tabled

K. McRae asks if board will be tabling agenda item #10 tonight, and Dr. Iocco says yes. Tabled.

Adjourn: Dr. Iocco makes motion to adjourn at 7: 21 PM. All members are in agreement and a date of Thursday, September, 23rd, 2021 is set for next meeting.

Attachments:

Meeting minutes - Thursday, July 15, 2021

Notes – Summary of 10 Beechwood Rd, 8/19/21

Application Permit – 10 Beechwood Rd, 1971

System plan design- 10 Beechwood Rd, 1971

Email - To K. McRae from J. Serwatka, 7/14/21

Title 5 Official Inspection Form, Dean Luscomb, II July 15, 2021 Pages 1-18

Email: To Dr Iocco, Robert Dolan and Glen Davis from K. McRae, WNV Sample, July 29, 2021

Memo: MDPH Arbovirus surveillance program report.

Lynnfield Covid-19 cases week 6/17/2021 through 8/11/21

Lynnfield Covid-19 cases week revised updated 6/17/2021 through 8/18/21

Notes for BOH Meeting August 19, 2021, Resources for COVID Contact Tracing & Response Efforts

List of Items for BOH Meeting August 19, 2021

Email from K. McRae to Dr. Iocco - LEMA Mondays and Thursdays rotation.

August Calendar.

September Calendar.

Meeting Notice Town of Lynnfield, Wed Aug 18, 2021

Advisory Regarding Face Coverings and Cloth Masks, DPH, July 30, 2021

DESE and DPH Joint Memo – Covid-19 Guidance for districts and schools, email from DPH 8/13/21

Joint Memo – Covid-19 Guidance for districts and schools, July 30, 2021

DESE/DPH Covid-19 Guidance for Districts of Elementary and Secondary Education.

DESE Covid-19 Guidance for Districts of Elementary and Secondary Education, Aug 11, 2021

DPH Memo BinaxNow Rapid Point of Care COVID-19 Testing LBOHs, July 29, 2021

Appendix A – Requirements for BinaxNOW testing for Local Board of Health.

Appendix B: Abbott BinaxNow Readiness Review Checklist.

Sample Standing Order Covid-19 Testing.

Administration of Additional Covid-19 Vaccine Dose for Certain Immunocompromised People, email DPH 8/15/21

LBOH Epi Pen Request, email DPH 8/9/21

Color Application materials due by August 20, 2021, email DPH 8/17/21

Update #153 Color Contact Info; Updated BinaxNOW Test Kit Guidance; DPH Mask Requirement; APHC Info & Survey; Covid-19 Testing Sites, CTC Response, email DPH 8/4/21

Email – To K. McRae from Patricia Fabbri, agenda discussion use of pesticides 8/12/21

Why Should We Be Concerned About Pesticide Use?

Town of Swampscott – Message to homeowners regarding environmental toxins, Sept 2005

Act Protecting Children and Families from Harmful Pesticides.

Letter – Lexington Board of Health.

Public Health Message from the Wellesley Board of Health.

Town of Marblehead Statement on use of Pesticides.

Public Health Message from Marblehead Board of Health.

City of Newton Proclamation – 2002.

GreenCAP Green Decade Coalition/Newton MA.

Memo – Non - Toxic Communities.

Email – to K McRae from Patricia Fabbri Request for Board of Health Agenda – Plastic Bag Ban, Aug 12, 2021

Record of Communication – Notes on Academic Volunteer, July 29, 2021

Cover Letter and Resume Aaron Cavanaugh for Internship, Aug 12, 2021

MA. Air Sensor Grant Opportunity Application Guidance and Grant Requirements, July 20, 2021

Complaint Log – 15 Melch Rd, 7/29/21

Brookline Tobacco Generation By-Law Approved by AG, email SMcColgan, MHOA 7/20/21

Board of Appeals Zoom Meeting details and agenda Sept 7, 2021

Memo – BOH to Applicants on Board of Appeals Zoom Meeting, Aug 17, 2021

Letter MassDEP to Lynnfield Public Works Approved local composting operation, Aug 9, 2021

Minutes of Regular Session

Lynnfield Board of Health

Thursday, July 15, 2021

Present:

Rocco Iocco, DMD, Chair

Gail Link McCausland, DMD Vice Chair

Dr. Kelly Migliore, Member

Kristin Esposito McRae, RS Health Director

Maria Welsh, Recording Clerk

Attendees: Luke Roy, Engineer – LJR Engineering for 26 Durham Drive

Regular Meeting of the Board of Health Called to Order:

Dr. Iocco calls meeting to order at 5:38 PM.

Minutes of Thursday, June 17, 2021- Approved: 3-0

26 Durham Drive – Local Upgrade Approval: K. McRae this is a system repair and site is within Groundwater Protection District. The property line variance needed is to the street. Town engineer felt this would be fine, as long as plan is then surveyed by professional surveyor. Luke Roy of LJR Engineering submitted his revisions/comments ensuring system was put in the correct location. After Kristin had been to site for perc test, she reported that there's a gas line, an easement and a pool in back. There is also a catch basin on site. Kristin is not sure if placing system to side vs. back would be better option, resulting in less waivers. Luke Roy explains his plan for this 4-bedroom home's septic repair. Current system is in failure and test holes were done.

Dr. McCausland: Asks age of system and if the age of system is causing failure. K. McRae replies that the system was built in 1983. Luke Roy states that current system is smaller than today's systems and K. McRae adds that this will be the third system added to the corner of this lot or up in that general area. The first system was installed in 1972, and again in 1983. Luke presents his reasons for the 3 waivers he's requesting which are:

1. Waiver to reduce setback distance from the street line to soil absorption system from 10 ft to 6 ft.
2. Waiver to reduce setback from leaching catch basin to soil absorption system from 25 ft to 17 ft.
3. Waiver to reduce the separation from estimated seasonal high ground water to bottom of soil absorption system from 5 ft to 4 ft.

Dr. Iocco: Asks about distance to ground water to project site and Luke answers that what he is proposing is a configuration leading to an improvement to the existing system. K. McRae agrees and asks where the catch basin leads to. Luke replies to a block that leads to a low point towards the driveway; no real outlet. Dr. Iocco asks K. McRae about the project's distances between the 3 waivers

K. McRae replies that the project is in the Water Protection District -The nitrogen levels are to be monitored, and system is not near a well. She also asks Luke Roy about the radius of zone 1. Luke replies 400 ft. Kristen then addresses the board that there are no triggers here. Dr. Iocco: Asks if this house was recently sold or for sale and Luke replies it is not. The system is failing and owners are anxious to resolve problem. Dr. Iocco: Is fine with the first 2 waivers, but is concerned about the ground water protection decreasing from 5 ft. to 4 ft. K. McRae replies

that normally a 4 ft. separation is OK, but in this case perc tests were fast so a 5 ft. required; with retaining walls would help? Luke added considerations/added costs. Dr. Iocco: Asks board members if they have anything to add and Dr. McCausland has nothing to add. She thinks this plan meets maximum feasibility and Dr. Iocco agrees. Dr. Iocco: Makes motion to approve the 3 waivers as listed on the plan for 26 Durhan Drive septic repair. All members are in favor and motion passes: 3-0

Mosquito Control: K. McRae begins with the start of MassDEP's program for mosquito control. First West Nile virus detected in a sample was collected in Medford, MA. Lynnfield's district has started sampling. Mostly this is a reminder that we are within a 3rd-year in a 3 yr cycle for Triple E (Eastern Equine Encephalitis). The BOH website is updated with news and announcements including public information (including ticks etc), including links to risk maps, to help residents see anywhere in MA areas. New England has been in an odd weather pattern this summer, and ticks are always a big concern. Dr. Iocco: Asks about program and if they spray just the front of someone's property. K. McRae replies they will evaluate a property for wetlands or related triggers, and will respond if nuisance calls start coming in. Dr. McCausland asks if there have been any residents who do not wish to have property sprayed and K. McRae replies yes-residents can call and be put on a list for no mosquito spraying.

COVID-19 Updates: K. McRae begins with the state weekly tallies of cases. Lynnfield: Last week had 3 cases and this week there are 4. Numbers are on their way down compared to before. Dr. McCausland asks if information is based on fully vaccinated and not vaccinated individuals. K. McRae says she did not research these cases and adds that Sandy Wilson is still doing contact tracing. K. McRae also stated that (Emergency Management) group will not be meeting weekly but will monthly on Mondays and that today 6 cases were posted. K. McRae is unsure of where this number came from. Glen Davis also listed changes in emergency operations; a center in a retail space at Market Street and the South branch Library were designated for fire department. K. McRae Asks Dr. Migliore if she has received invite emails from the EMT and Dr. Migliore replied yes and that she wasn't sure if she should participate. She is happy to do so if needed.

K. McRae: Announces that Andover submitted the grant application on Lynnfield's behalf for contact tracing. Towns included: Andover, No. Andover, No. Reading, Wilmington and Lynnfield. The BOH can hire either a nurse or an Epidemiologist. She is not 100% sure that we will be awarded this grant, but team will be meeting on Monday to form plans and discuss details. Dr. Iocco: Asks about a decision deadline and K. McRae replies she is not sure but thinks the wait won't be long. Dr. McCausland asks about ball park numbers in terms of funding amounts and K. McRae says they are proposing 3 more people to include Lynnfield. Dr. McCausland asks if it's 3 for each town and K. McRae replies 3 total to serve each. Dr. McCausland refers to the participating towns and their overall population tallies. K. McRae suggests basing grant funds distribution by number of cases. Lynnfield's smaller population yet could yield a higher number of cases. It's not clear as of now. Next group discussion will focus on prioritizing clusters and controlling clusters. Schools should remain a big topic.

Dr. Iocco: Asks if amount in grant \$336,765.00 will be issued yearly, and if it's split between the 5 towns. K. McRae replies that this should take better form after her group meeting, Monday (July 26, 2021). K. McRae says that state is winding down the CTC – Municipalities will be left tracing cases. Lynnfield did handle most of the cases before and she feels confident working with Andover who's taking the lead here should we get the grant. She hopes this grant will come through. Dr. Iocco questions whether town administrator is aware of this grant. K. McRae replies that she did send an email and that he was copied on email.

K. McRae mentions another opportunity; An academics group of volunteers. They've reached out to the BOH and she plans to meet with them about their assistances in some capacity. Contact tracing team members are available for hire to assist in certain roles. Dr. Iocco, asks if this is Endicott College, and K. McRae says this group is from an academic study in public health from the Mass Health Offices Association. They offered help during the pandemic, but could only help remotely, or handle certain issues. Now they can contribute more. Kristin intends to speak with the lead person to see what they have to offer.

Other Business: K. McRae addresses the board to gain opinions on a few matters beginning with pumping records. These records seem to be missing or not being submitted. We have been keeping track of these records 5-6 years. Sites that have never been pumped seems off – It could be some haulers are not turning in paperwork. How do we know something isn't being turned in or something is missing? K. McRae sending correspondence to haulers

stating record must be filled out within 14 days and sent or dropped off at the BOH in Lynnfield. Form is issued by MassDEP and requirements need to be filled in, or hauler can use their own form.

This should show we need records. Two examples are pointed out to the board and one site is reported as surging and in need of an inspection near Pilling's Pond. Unlikely K. McRae would act solely on a pumping record. However, the board can require residents to do a Title V inspection if situation warrants. Another record shown is marked in red with a notation that should not be ignored. Pumper is required to do this (provide conditions). K. McRae concludes BOH is not receiving all records. Dr. McCausland: Asks if pumpers are licensed by the state. K. McRae replies pumpers are licensed by the town, and contents are disposed of at licensed facilities. State requires a form be filled out and sent to the BOH within 14 days. How do we know information isn't being turned in or missing? K. McRae suggests sending correspondence to haulers with reminder that forms are to be filled out and turned in within the 14 days. Form is issued by MassDEP, requirements need to be filled in. Kristin asks board for suggestions on wording a letter to resident who has surging system near Pilling's Pond. Dr. Iocco: Adds his concern about the resident being penalized with red flagged system. Other residents could have system issues that BOH is unaware of. K. McRae can't ignore the notation of a surging system, and wording should be sensitive to this. K. McRae will draft letter and send to Dr. Iocco before mailing to the owner. K. McRae adds that haulers need to be truthful with situations they find.

K. McRae sent a letter out to Title V inspectors with reminder of pumping records and timely submissions of Title V (Within 30 Days); see copy in BOH packet. She has also had several issues with one individual, and now has discovered another. K. McRae asks if MassDEP should be contacted since the state provides certifications for Title V Inspectors. Dr. Iocco: Suggests a letter to individual stating the terms about timely submissions and then following up with MassDEP. K. McRae says that she has been told she can also reject any submissions that are late, or, have submitter complete documents all over again. Dr. McCausland: Suggests rejecting late or incomplete submissions. K. McRae gets ok from Dr. Iocco to CC MassDEP on late / incomplete submissions, and she will send individual letter stating incomplete/late new inspection needed. K. McRae explains irrigation wells being installed (and when T5 reports are required) should be tested for nitrates and E.coli. Water meter readings are being skipped. Regulations on well tests were set in 2019 then COVID hit. MassDEP recommended wells be tested every year. Instead, Lynnfield to be tested during a title V inspection due within 30 days, and upon installation of well. No irrigation well testing results have been received.

Well drillers contacted for 2 test results; E.coli and Nitrates. In Lynnfield, there is an influx of irrigation wells. Should pending applications not be processed missing these tests? Dr. Iocco asks what the fee is to test water and K. McRae replies there's no charge just the lab processing cost. Testing for nitrates and E.coli are not expensive parameters. Can be done during well installation. K. McRae asks if board is in agreement for her sending a letter. One driller that has done a few wells in town has received a letter. Wells done in 2020 will be dismissed. Going forward, before applications are requested, a letter will be sent out requesting testing. Both Dr. Iocco and Dr. McCausland agree this is a good plan and also gives drillers notification before new application is submitted, and more time to be prepared. K. McRae will also be cross-referencing Title V applications with irrigation well installations.

Correspondence:

BOH annual budget was discussed as given by the Town Accountant, addressed at Town Meeting, and as listed in the town warrant. BOH budget did not change. K. McRae confirms it hasn't. All level funded positions except salary policy increased by 1.6 %. The category expenses, under salaries, is used to pay other registered inspectors and sanitarians. Dr. Iocco concludes that he cannot think of another department that could function on the small amount allotted to the BOH. All members agree.

K. McRae: Mentions a cancer screening awareness email she received. All 3 board members agree no action but should be kept on file. Lynnfield Center Water District sent in their 2020 report. Some clarification was needed on Nitrate levels calculated in the report. Highest level listed as 5.81 and total appeared as 7.18. K. McRae states that any above 5.0 gets flagged in Lynnfield for further evaluation during a Title V inspection. State maximum is 10 – and 50+ is considered extremely toxic. Lynnfield Water District's next report will likely include PFAS or "Forever Chemicals". 6 compounded chemicals have been set as an actual allowable level.

K. McRae mentions 2 subjects that the board may anticipate for the August meeting: The 2 schools, Summer St., and Huckleberry Hill. And new restaurants at Market Street. K. McRae asks BOH members if there are no variances on the schools plans (other than MassDEP flow approval) do they want it on the next agenda. Dr. McCausland said no and it was agreed not necessary.

Sign Invoices: K. McRae will email her invoices to Dr. Iocco for his electronic signature.

Adjourn: Dr. Iocco makes motion to adjourn at 6:50 PM. All members agree: 3-0 Dr. Iocco Plans next BOH meeting date for Thursday, August 19, 2021.

Attachments:

1. Minutes June 17, 2021
2. Memo – To Luke Roy, LJR Engineering from K. McRae, July 8, 2021
3. Application for Disposal Permit - 26 Durham Drive, 6/28/21
4. List of requested 3 waivers – 26 Durham Drive.
5. Location / Site map – 26 Durham Drive
6. Application for Local Upgrade Approval – 26 Durham Drive
7. MassDEP – Arbovirus surveillance report.
8. 2021 Summary of mosquito samples testing
9. Information sheet on ticks and mosquitoes.
10. Lynnfield positive COVID-19 cases – Total tests last 14 days
11. MassDEP Jan 1, 2021 Count and rate of confirmed COVID – 19 cases and tests in MA by county.
12. Application form – Shared health services agreement, RFR223127
13. Application response form – Andover Health Division.
14. Application – To expand COVID – 19 case investigations within 5 towns: Andover, No. Andover, Lynnfield, No. Reading and Wilmington.
15. Application form – For Independent municipalities.
16. Response submission
17. Budget and Request for revision – Local Support, COVID – 19 cases.
18. Program budget and request revision form.
19. Program budget and request form for capital budget revisions.
20. Memo - To K. McRae from Julie McCarthy June 24, 2021
21. Board of Health Budget – FY22
22. Memo – To Title 5 system inspectors from K. McRae July 9, 2021
23. Email – Raising awareness for Lung cancer
24. Lynnfield Center Water District – 2020 drinking water quality report.
25. Lynnfield Center Water District - Water quality data.
26. Lynnfield Center Water District – Source.
27. Lynnfield Center Water District – Info sheet.

**Minutes of Regular Session
Lynnfield Board of Health
Thursday, June 17, 2021**

Present:

Rocco Iocco, DMD, Chair
Gail Link McCausland, DMD Vice Chair
Dr. Kelly Migliore, Member

Kristin Esposito McRae, RS Health Director
Maria Welsh, Recording Clerk

Attendees:

Peter Ogren, Engineer, Hayes Engineering
Haralambos Katsikis – Owner / Applicant 4 Taylor Terrace
Te Chang – Owner- 4 Sparhawk Drive
Jon Whyman – Septic Installer-4 Sparhawk Drive
David Palumbo – Owner/Manager – 160 Moulton Drive Apartments -New Construction

K. McRae: Announces the following and this call is being recorded:

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 join the Zoom Meeting.

5: 34 PM, Dr. McCausland calls BOH meeting to order: Dr. Iocco is delayed and Dr. McCausland suggests waiting until he arrives to approve the May 20, 2021 meeting minutes. Meeting moves ahead to Item #3 on the Meeting agenda.

Item #3 – 4 Sparhawk Drive: Installer Jon Whyman not present. Proceed to Item #4 Taylor Terrace.

Item #4 – Taylor Terrace – New Construction

K. McRae: Gives summary of this new construction project, which is a 4-bedroom dwelling. Her concern is that the floor plan appears to have more than four bedrooms. Since there are five rooms on the second floor and a master bedroom on the first floor; this may be an item for the BOH to consider if a deed restriction is needed or a modification of floor plan.

Peter Ogren: Answers question regarding room count and that there's only three bedrooms on second floor and a bonus room over the garage, showing as the fourth room on plan. Room has no closet or adjacent bathroom. Peter does not think room should be counted as a bedroom.

K. McRae: There's a large spaced room marked cubby on the second floor. P. Ogren: States this is a sitting gallery which is more than a hall but not a bedroom. Peter asks the owner Mr. Katsikis to help explain further. Mr. Katsikis: Answers yes K. McRae: Asks owner how many rooms are in this house.

Mr. Katsikis: Says upstairs there's a room that is used as a closet / storage room. It's a space that needed an entry access so a door was added. K. McRae: Asks about access to something beyond this room.

Mr. Katsikis: Says there is no need for access beyond this room. K. McRae: Asks about windows in room and Mr. Katsikis says there are none.

K. McRae: Addresses the board regarding this room becoming something else down the road.

Dr. McCausland: Seems clear on the plan that it is a bonus room or storage area, and not designed as a bedroom.

K. McRae: Asks about drainage easement and has the Conservation Committee been notified about it.

Unclear on the plan. Peter Ogren: Drainage easement is a triangular area that intersects with this lot. Pond is not accessible to this lot. During conservation process – a request for driveway was made. A fill section at the bottom of the driveway, that could accommodate access to it, so this was done. Grading here does slope a little bit from driveway to retention pond. Which is located on the West side of the owner's neighbor's house, so there is no access. K. McRae: Explains that she has circled the drainage easement areas on plan included in meeting packet. Peter Ogren: Points out where the drainage goes from the driveway. Without a wall there, access to the pond would not exist. Home Owner's Association is responsible for pond. Mr. Katsikis is part of this association. K. McRae: Was not aware of a Home Owner's Association and asks if Taylor Terrace is a private way or public street. Peter Ogren: Answers he cannot say.

Dr. McCausland: Announces that Dr. Iocco has joined the meeting and explains what has been discussed so far and that the meeting went out of order from 4 Sparhawk to Taylor Terrace as meeting moved on.

Peter Ogren: Says he knows there is a Home Owner's Association plan to clean and clear out the pond area. Mr. Katsikas: Does not know if this has been done yet, and that he has access to the pond through his neighbor's yard. K. McRae: For clarification asks if there is a recorded easement or not, and is the easement just an agreement of sorts. Peter Ogren: Answers for the pond, which is shown in his drawing, access is allowed from the west side of Mr. Katsikis' lot.

K. McRae: Concludes that the easement is not affecting the septic system, however, any easement should be reflected on the plan. It is here and that is fine. This has been addressed by conservation board and not an issue for the board of health. McRae asks about making a break out barrier.

P. Ogren: Refers to plot plan and points out that the break out goes to the curb, with a 15ft. slope. This meets criteria. K. McRae: Asks Peter if he is working in an 11ft. space. P. Ogren: Replies that he is not. Space includes sidewalk area, and Kristin asks if the sidewalk is paved. P. Ogren: Says it is and meets criteria. K. McRae: Asks if property lines have been verified and Peter replies yes. Kristin then turns this over to the board for further questions.

Dr. Iocco: Asks about room count, and Peter explains that there is a bonus / storage room with no closet. The total bedroom count is four.

Dr. McCausland: Makes motion to accept plans at Taylor Terrace as submitted. Dr. Iocco seconds motion. **All members are in favor and motion passes. Vote 3:0**

Item #2 – Approval of Meeting Minutes-(Out of Agenda Order)

Dr. Iocco: Approval minutes from Thursday, May 20, 2021 meeting; asks if all in favor of accepting minutes. **Minutes were accepted unanimously. Vote 3:0**

Item #3 - 4 Sparhawk Drive – (Resume Agenda Order)

K. McRae: Explains that this subject was addressed at a previous meeting and bedroom issue has been resolved. Design is as planned now, for a 4-bedroom home. Water supplier is in favor of design for total number of bedrooms. Now, asking for one setback waiver for drinking water supply. This vote will be for one waiver. Dr. Iocco: Asks if drinking water is less than 200ft. from water supply.

K. McRae: Answered that this required 400ft. due to drinking water not a tributary – BOH has authorization to issue waivers up to 200ft. If this was less, it would have to go to MassDEP. This meets roughly 300ft. Dr. Iocco: Makes motion to accept the septic design as submitted with variance of reduced

set back to public drinking supply to 300ft. Dr. McCausland: Seconds. **All members reply in favor and motion passes, Vote 3:0**

#5 - 160 Mouton Drive – Apartments - New Construction

K. McRae opens with explaining this property was known as the Bali Hai restaurant, and that Peter Ogren will answer any questions. K. McRae: Begins with a question about the dumpster location proposed 5ft. from property line and would this cause an issue with neighboring residents. In most cases they are 10ft. from property line. P. Ogren: Asks if a dumpster like this needs a permit from the BOH, and Kristin replies no. P. Ogren: Says location of dumpster was moved. It was 1st on Oak St., this dumpster is bigger on the plan than it needs to be. It could be moved from 5ft. to 10ft.

David Palumbo: Believes a 6ft dumpster would be appropriate for site. Explains that there was excessive debate over dumpster location. New location was the consensus of the neighborhood and we went with it as well as the zoning board. Peter Ogren: Asks about the external dimensions of dumpster and David does not have measurements. Peter concludes that if a smaller dumpster can be found-The existing dumpster can be pulled from property line.

K. McRae: Mentions trees in the area and if they are staying through the construction. Peter Ogren: Answers some trees will be removed and some will stay. K. McRae: Asks if dumpster will have an enclosure around it and will it be on a concrete slab. Peter Ogren: Answers yes. An enclosed fence, visually enclosed on all sides. K. McRae: Mentions dumpster slab size and location which is very close to leaching field, just meeting requirements. Also appreciates that the dumpster is enclosed without slats. Kristin addresses board members for any comments concerning this dumpster issue.

Dr. Iocco: Does not see any issue since the actual dumpster will be smaller than stated on plan, and wants to know if this went before the planning board, and have they approved this. Peter Ogren: Responds that the Planning Board has input with Board of Appeals and this was a Board of Appeals issue. Dr. Iocco: Asks if these will remain apartments or will they become Condos in which a controller would be maintaining the management of septic.

David Palumbo: Answers that there are 23 apartments that will be controlled by a management company.

K. McRae: Mentions that the permit for the 1974 system for the restaurant was designed for 10k Gals; the current daily flow will be lower. Peter Ogren: Says the existing system was also within the 400ft. distance from the reservoir and Kristin concurs that at least part of this is right on the line. Peter Ogren: Questions that a full review from BOH has not been completed and would they need to come back before the board next month. K. McRae: Replies no, unless there are not minor adjustments to be made. Kristin then asks Peter if this plan was done in accordance with the May 24th, 2002 guidelines from MassDEP and Peter answers that it was. K. McRae: Will re-visit Peter's calculations and compare them to these guidelines. Peter acknowledges there was a typo on the calculations. Kristin then asks Peter if he could address the driveway (pavement over system). P. Ogren: Has planned to use contacters going over laterals. Kristin asks about a pump alarm and will it be located in the front lobby of building. P. Ogren: Answers that this can be done 2 ways; on a pedestal at the location or the lobby. Lobby provides good electricity when needed and convenient if needed to be accessed for attention.

K. Mcrae: States that there needs to be a sign posting with contact phone number for contractors, and Peter agrees. Kristin addresses the board members for questions.

David Palumbo: Adds that there will be a building manager on site during the day and David and his brother live in close proximity to building and can be available on site most of the time.

K. McRae asks board if they have any further questions.

Dr. Iocco: Asks since this is new construction-except for the set-back with the dumpster, there are no other variances called for here. K. McRae – No. and Peter Ogren agrees.

Dr. Iocco: Makes motion to accept the apartment complex plan – Along with the revisions discussed between Kristin McRae and Peter Ogren. Dr. McCausland: Seconds.

All board members are in favor and motion is passed; Vote 3:0

#6 COVID-19 Updates -

K. McRae presents state weekly local tallies on COVID-19: Lynnfield-Total: 4 cases over the last 14 days. Governor had filed an emergency legislation to continue certain aspects: 1. The open meeting law 2. Permits for outdoor dining/alcoholic beverage. The question of meeting on Zoom has come up. Dr. Iocco: Thinks BOH should gauge this according to how other boards will be meeting for consistency. All board members agree meeting in person for next meeting on: Thursday, July 15th, 2021 – however still bearing in mind how other departments plan to meet.

#7 Mosquito Control -

Lynnfield is within the North East MA Mosquito Control Program. Mosquito trapping and surveillance is done, and mosquitoes are sent to DPH to be analyzed. Findings are posted on the DPH website and our website. Residents can find information there on Triple E virus and West Nile virus. Triple E (Eastern Equine Encephalitis) is in a 3rd year of a 3 yr cycle; information is at the BOH office for the public.

#8 Other Businesses –

K. McRae announces a new grant offering specifically for COVID-19 investigation of cases and contact tracing. This fits in line with past discussions regarding increasing our Town Nurse resources. At least 4 other communities within our region (Region 3B) Andover, No. Reading and Wilmington are interested. Kristin will talk more with them in getting an application together since granters seem to prefer partnering. This could help us very much. Kristin confirms the date for applying is July 1, 2021.

Dr. Iocco: Is pleased to see this and agrees that the form is laid out for shared services stating “Multiple grantees” Also would like to know if this grant can be sought after without the help of town administration. K. McRae: Says that she would be at the least informing them, but wanted to present to the Board first. Dr. Iocco: Hopes BOH gets its necessary funding and asks if it’s a 2 year or a 3-year grant as it is laid out in 6-year renewal cycles. Conclusion is that renewal is every 2 years.

K. McRae: Emphasizes that the up-coming Fall could look different than today in relation to COVID-19. State’s program for contact tracing is winding down; soon there will be no options to send cases to the state. Keeping our contact tracing team intact for this reason is extremely important.

K. McRae: Ron Beauregard is Lynnfield’s Tobacco Control Coordinator. He’s suggesting signs (be mailed to tobacco retailers) to be posted stating that anyone will be asked for an ID for purchasing tobacco products to avoid establishments selling to minors and remind store owners of fines if caught selling to minors. Fine is \$1000. This is not a local regulation it is a state regulation. Kristin asks the board if they would want to add or change these postings. Dr. Iocco: Believes they are fine. Asks when this went into law and was the age changed. K. McRae: Answers yes and that it changed last June. Also, a mailer was done in town so retailers aware. Kristin hopes store owners would be in full compliance avoiding this fine. Dr. Iocco: Approves signs.

K. McRae Mentions having spot checks done through volunteers from A Healthy Lynnfield. No one has volunteered and the complaint came from A Healthy Lynnfield. The establishment in question has had multiple complaints varying (on selling to certain underage kids). Kristin will speak with Ron Beauregard again about suggestions or have A Healthy Lynnfield work together with us in some way.

#9 Correspondence-

K. McRae talks about 2020 water quality reports; BOH received for 1 of the water districts. Not sure if

other district has completed their testing. Lynnfield Water District has the MWRA system. See except in packet. Dr. Iocco: Asks if they generally coincide or do the reports come in at different times; later in the summer. K. McRae: They must still be within their deadline to submit as their website (LCWD) had no new postings either.

Kristin adds that she submitted the memo to the planning board following BOH meeting on Vallis Way. Tomorrow, June 18th, is holiday observing Texas final emancipation know as Juneteenth, or June 19th.

Dr. Iocco: Calls to set future meeting dates for July and August. BOH members agree to meet on Thursday, July 15, 2021 and Thursday, August 19, 2021 at 5:30PM.

Dr. Iocco also calls meeting adjourned at 6:45 PM. Dr. McCausland: Seconds. Meeting is adjourned at 6:45 PM

Attachments:

Minutes May 20, 2021

Application for Disposal System Construction Permit – 4 Taylor Terrace, 2005

Application Review of Plan Application for Title V and Setback – 4 Taylor Terrace

Memo To Peter Ogren of Hayes Engineering from K. McRae-Certified plot plan and sanitary disposal system plan - 4 Taylor Terrace, 6/11/21

Application for Disposal Systems Construction Permit - 4 Taylor Terrace, 2021

Plan with circled drainage and proposed water service map - 4 Taylor Terrace

Proposed system location map

Map location of 4 Taylor Terrace

Application for Disposal System Construction Permit - 4 Sparhawk Drive, 2021

Map of Hawks Pond and 4 Sparhawk Drive

Memo from K. McRae to Richard Dawe-Lynn Water and Sewer Superintendent

Letter from Richard Dawe to K McRae, 6/16/21

Waiver set-back to water supply - 4-bedroom - 4 Sparhawk Drive

Plot plan and septic design plan - 4 Sparhawk Drive

Zoom meeting invite for June 17, 2020 BOH Meeting to Jon Whyman and Joe Serwatka

Memo to Richard Dawe from K. Mcrae.

Interior Addition layout plan, Excerpt from Bldg Dept File - 4 Sparhawk Drive

Title V inspection form sketch - 4 Sparhawk Drive

Application for Disposal System Construction Permit -160 Moulton Drive, 2021

Application for Disposal Works Construction Permit - Moulton Drive and Oak Street, 1974

Check from Top Tier Construction LLC., #4204 \$3,750

Location map of Moulton Drive and Suntaug Lake

Map of designated storm drains, septic SAS and dumpster location - 160 Moulton Drive

Memo To Peter Ogren Hayes Engineering from K. McRae CC David Palumbo, 6/15/21

Title V pressure distribution guidance from Cynthia Giles, Ex Officer MassDEP, 2002

Code Reference: 15.254 Pressure Dosing and Pressure Distribution

Letter Hayes Engineer to McRae, Sanitary Disposal System, 6/17/21

COVID-19 State of Emergency orders 6/15/21; Gov Baker file legislation to extend certain provisions

Alcoholic Beverages Control Commission Advisory re: End of COVID-19 Restrictions

Count and rate of confirmed COVID-19 cases and tests performed in MA by county Jan. 1, 2021

Today's COVID-19 overview from June 15, 2021

FAQ's Residential ULV Adulticide Requests, NEMMC

Email from Kelsey Liakos of NEMMC to K. McRae, ULV Adulticiding FAQ

MA. Arbovirus (Triple E) 2021 update

Grant application #223127 local health support for COVID-19 case investigation and contact tracing

Sign for sale of tobacco and vaping products requiring ID for Lynnfield distributors

Email MWRA annual water quality report for 2020

Email Annual water report from Lynnfield Water District

Memo to Emilie Cadematori from K. McRae, Vallis Way 5/24/21

Memo from Leslie Davidson to K. McRae Juneteenth Day Holiday

**Minutes of Regular Session
Lynnfield Board of Health
Thursday, May 20, 2021**

Present:

Dr. Rocco Iocco, DMD, Chair
Gail Link McCausland, DMD, Vice Chair
Dr. Kelly Migliore, MD, Member

Kristin Esposito McRae: RS, Health Director
Maria T Welsh: Recording Clerk

Attendees:

Ian Ainslie, Engineer – Meisner Brem
Peter Ogren, Engineer-Hayes Engineering
Attorney Sharon Petrillo – Greenbaum, Nagle and Fisher
Elaine Howard, 259 Main St
John Yannone – Resident
Arthur Katz – Resident
Linda Vallis – Owner, Resident
Rich McCarthy – Resident
Gail Marcus – Resident

5:32 PM, BOH meeting called to order

K. McRae: Announces the following and this call is being recorded:

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 join the Zoom Meeting.

Minutes of the April 15, 2021 - Minutes Approved, Vote 3:0

211 Summer Street – Lot 1 & 2 New Construction

K. McRae: 211 Summer St. is looking to sub-divide lot. Lot #1 has an existing house, Lot #2 sub-division expected to add new both will be 6-bedroom homes. There are plan review comments made by K. McRae on plan for both see memo May 18, 2021. Her concerns and suggestions are addressed and Ian Ainslie, project engineer, agrees with K. McRae's suggestion. K. McRae: Addresses the board for questions.

Dr. Iocco: Asks does this have to go through the planning board as an alteration in elevation to an existing lot.

Ian Ainslie: A&R approval not required. Not a definite sub-division. Planning board will have to sign it. Not a definitive sub-division so planning board will have to sign it, then registry of deeds. The requisite exists from planning board relating to the front and zoning laws.

Dr. Iocco: Asks if there's a house on the 1st lot that will be taken down and the septic system decommissioned, with a new system installed. Ian replies that an existing well and cesspool will be decommissioned.

Dr. Iocco: Asks about new construction variances. If these issues to be resolved are technical, he has no further comments. K. McRae asks if board members have questions.

K. McRae: Asks Ian if any comments from plan review seem difficult or can they be easily done according to plan.

Ian Ainslie: Thinks changes are simple. Sizing of the new system from 900FT to 942FT seems fine.

K. McRae: Refers to surveying of property and after survey results plan may change.

Ian Ainslie: His company did survey the property. A note on existing plan may be misleading.

K. McRae: Was hoping this may have been true.

Ian Ainslie: Will add to plans, property was surveyed.

K. McRae: Asks about storm water drainage systems plan for project.

Ian Ainslie: Nothing's planned now. Anything an acre of disturbance spread across 2 common plots of land 2 regulations is required. These 2 are approx. 75 acres each. Added up, number would result in over an acre. Plastic chambers underneath the ground will be added to handle roof run-off.

K. McRae: Installation of plastic chambers must meet set-back requirements to new septic system. Kristin gives a summary what has to be met and what has been discussed. Ian reiterates that he will adjust wording on plans.

K. McRae: Asks board about any further questions regarding 211 Main Street project. Lot #1 and Lot #2.

Dr. Iocco: Asks if these will be 2 separately deeded properties. Board will address separately if so and allow any design for Lot #1 septic plan.

Dr. Iocco: Makes motion to allow any final design for Lot #1 septic plan. All members agree by replying "Aye" and motion passes. **Vote 3:0**

Dr Iocco: Makes same motion for Lot #2 Dr. McCausland Seconds. All 3 members reply in favor. **Vote 3:0**

271 Main Street – Definitive Sub-Division Plan Road A

Dr Iocco: Explains this subject that was discussed in November. Engineer Peter Ogren had to excuse himself from that meeting, and was unable to return due to Zoom meeting connection.

Peter Ogren from Hayes Engineering is now present to bring the board up-to-date and addresses K. McRae to give a summary.

K. McRae The planning board did approve this sub-division; the board still has comments that need to be addressed. A memo was sent dated May 5th to planning board with comments.

Peter Ogren: Questions whether or not owner of existing house who is not selling, needs to do a Title V inspection.

K. McRae: Existing home's septic system is from 1956. Concerns are the repositioning of land in division to rear lot. If this leaves 30,000 sqft. House must remain a 3 - bedroom home.

Peter Ogren: Agrees and if board is asking for that he can provide it. Peter went with an agent, did a perk test and ground water test. Soils were suitable. If board requires Title V, a new system would have to be dug. New construction means new bedrooms, no bedrooms added here.

K. McRae: Reminds Peter that project is removing land and it should not become maximum feasible compliance. If land was not removed, full compliance wouldn't be an issue here. Lot #1 reach full compliance, but it is for the board to decide, and in her memo 4 ft. of suitable soil was documented with perk rate of greater than 5 minutes per inch. So, estimate was done for seasonably high ground water and the storm water test Peter did in January, 2021 had estimate seasonal high water ground levels. The deeper may not reflect all of the round water effects.

Peter Ogren: If the board's position is to have a Title V done, he will relay this to client. Dr. Iocco: Due to his relationship with property owner he will be abstaining from making or adding any comments and defers to other board members.

Dr. McCausland: Agrees to getting Title V done for Lot #1 before land position changes and space is lost.

K. McRae: Agrees. Dr. Migliore: Agrees

Dr. McCausland: Makes motion to request a Title V be done at 271 Main Street existing dwelling on Lot #1. Both members are in agreement. Vote 2:0

K. McRae: Questions water connection whether connection is to Lynnfield Center Water District. Peter replies correct and a water line appears on the plan.

K. McRae: What the setbacks are relative to septic system in regards to the catch basins, storm chambers and bio-retention wall in plan. Need to be in compliant with set-backs from septic.

Peter Ogren: The town engineer met before the board of appeals and setbacks were met

K. McRae: Would be helpful to show distances to septic from storm drains in new septic plan, and all required under Title V code. How is mosquito control in relation to the bio retention area being planned.

Peter Ogren: No discussions with planning board regarding mosquito maintenance. Home owner / Home owner's association responsible. Bio retention area should be dry.

K. McRae: Lynnfield belongs to a state mosquito control program; we would need more information on it. Kristin asks for clarification on the mentioning of a home owner's association. If no change was made to Lot #1-and another lot is being added.

Peter Ogren: Lot being added (Lot # 2) is the home owner's association who is responsible for mosquito control. Planning board requires in a waived sub-division, the town takes no responsibility for mosquito, pavement, or

stormwater maintenance. K. McRae: Addresses the board; asks if they would like to comment, or any residents that have joined the would like to contribute.

Attorney Sharon Petrillo in behalf of Elaine Howard: Elaine is at 259 Main Street and is a direct abutter to this project. Attorney Petrillo questions whether or not the BOH within 45 days of applicant, reviewed the sub-division plan as a whole and gave tentative approval for suitability of land and building site, water supply and individual sanitary facility. Does not recall seeing anything from BOH until the May 5th submission to planning board. Also has been unable to get any answers from planning board at last hearing. Planning board was deferring to BOH for answers. Asks if there was a tentative plan approval given during this time frame.

K. McRae: An email was sent to planning board ahead of meetings letting them know the BOH has done all soil testings and suitability tests. Also, in November of 2020, Peter left meeting and could not return due to Zoom technical errors.

Sharon Petrillo: Questions mosquito issue/Home owner's association. Asks if association has responsibility for the road as jurisdiction, and does it impact any of the BOH issues as this is a private way. Do abutters to a private way have the obligation for the care /maintenance. Does this work without the conservation committee not weighing in; there are no real wet-land flagging.

K. McRae: Refers all of the above questions to the conservation board.

Peter Ogren: A wetland line was flagged by a botanist and a qualified soil specialist. No determination on lines yet. A stipulation with planning board approval stating criteria must meet BOH standards. Peter Concludes that the only waiver received so far regarding conservation was the determination of the line. The planning board gives this before any digging can begin.

K. McRae: BOH septic perspective to this project is that there are no waivers on new construction. Waivers may exist in other areas/departments-BOH is seeking full compliance. Lot #2 has no waivers.

Peter Ogren: Inquires if Lot # 1 needs a Title V inspection and Kristin says yes (if BOH agrees). She is unsure whether the 1956 system will pass or not. Needs updated information on condition.

John Yannone (Resident): Expresses opinion on waivers in Lynnfield and also sub-dividing properties; using land inappropriately in town.

Arthur Katz: Occupant of Lot #2 responsible for plowing and shoveling. Peter Ogren replies yes. Arthur also brings up shoveling and lack of may cause snow build up and water run down jamming catch basins. Containers will fill up, water will run down and fill yards up, the leading to mosquito issues in spring/summer.

Sharon Petrillo: Asks about other issues this situation would cause besides mosquitoes that directly affect the BOH.

K. McRae: The town engineer would look at storm water capacity and works with planning and conservation. Storm water calculations aren't handled by the BOH. Any structures being put in place that might affect the septic system are BOH concerns.

Sharon Petrillo: Questions setbacks between septic system and storm water drainage.

K. McRae: There will be and Peter Ogren will identify them on the plan and make them work.

Any storm chamber water capacity questions go back to planning board and the town engineer.

Mr. Katz: Answers that the water in his backyard is stagnant yielding to eminent mosquito breeding.

K. McRae: If there are no further comments, a Title V inspection should be done for Lot #1 and submitted to BOH.

Peter Ogren: Mentions an attorney contacting the BOH – and Kristin acknowledges this is correct and that she has sent an emailed response that's included in the meeting packet for reference.

271 Vallis Way, aka 109 Lowell St., Definite Subdivision Plan

Kristin McRae: Vallis Way, Location 109 Lowell St. subdivision plan will include 6 dwellings adding lots 1-5. Refer to plan review memo May 11, 2021. Lots #1 and #2 sq footage not labeled and out of (sequence) labeling of soil testing.. Now different configuration and soil test (numbering) for subdivision. Continuity must be solid-correlation for soil tests. Lot #2 has an infiltration pond that needs to be addressed. Lot #4 has equipment storage issues during construction. Lot #5 has concerns regarding existing septic system under a driveway/pavement which can be adjusted. Kristen refers to board members to meeting packet for design layout. Kristin opens questions to board members.

Dr. Iocco: Asks if one of the older homes in town is being knocked down to become Lot #6. Peter Ogren replies no. There is an existing home at 109 Lowell St. that will remain. One lot was removed from subdivision, causing lot numbering to change. 109 Lowell St. will remain as part of the subdivision.

K. McRae: Questions whether there are 6 homes, 5 lots plus the existing home. Peter Ogren confirms.

Dr. Iocco: Asks if the existing home will need a Title V inspection.

K. McRae: The existing system is from 1966 and listed as approximately 4-bedroom capacity, with 400gal daily flow. This is inconsistent with a 4 - bedroom dwelling. No new soil testing information or an updated Title V inspection. Home exists in the ground water protection district. Must meet full compliance since land will be removed. All lots have to meet the ground water protection ratio of 10Ksq.ft. per bedroom.

Linda Vallis: (Homeowner) Home was built in the 1950's and has 3 septic systems to accommodate 5 bedrooms.

K. McRae: BOH does not have the data for 3 systems.

Linda Vallis: There's 2 on both sides of home added due to home extension. K. McRae asks what year the three systems were put in. Linda Vallis replies 1960's. If she needs to do a Title V she is fine with doing so.

Dr. Iocco: To be consistent a Title V should be done at 109 Lowell St., three systems, and whether they work independently from each other or are they tied in somehow.

K. McRae: Does not have documentation of square footage of existing home lot.

Linda Vallis: Lot has over a few acres. Kristin states that this is not fully recognized on the plan.

Peter Ogren: Is asked confirm data. Confirms approximately 4- bedroom with a 400Gal daily flow. If there's 50K Sq. ft. with fully compliant septic system that's fine. If it's not on file, it would stand as 4 bedrooms.

Linda Vallis: The subdivision changed because a decision was made to move property into lots A and B.

A – Existing home at 109 Lowell St., plus and extra lot. B – The 5 vacant lots to be built on.

Peter Ogren: Plan was created by planning board, left 109 Lowell St., as a separate lot, and remaining land sold independently. Property is well in excess of 50K Sq. Ft.

K. McRae: This was not marked on the plan.

Peter Ogren: It was on the A&R plan, subdivided approval not required but can be added to this plan. Need proof of 3 septic systems existence and how they came to be.

Dr. Iocco: Asks if there is an abutter that would like to be heard.

Rich McCarthy: (Resident 4 Mohawk Lane) Lots #4 and #5 now directly abut his property. Concern is septic under the driveway/pavement on Lot #5. Where will septic be moved.

K. McRae: Storm water location design would need attention of the town engineer. This plan is preliminary not the actual plan.

Peter Ogren: Inappropriate to bring final plans to the BOH before there's a subdivision. Lots must go through BOH for approval of subdivision (soil suitability).

Rich McCarthy: Is town engineer part of planning board process and Peter says he is.

Rich McCarthy: Asks about new location of driveway. Peter replies that it might go in front of the property or toward the lot line. Both would work.

Gail Marcus: (Resident) Asks about planning board handling land erosion. Her home is directly below. Asks about upcoming conservation hearing.

Peter Ogren: There hasn't been a conservation hearing and nothing is planned for this project.

Rich McCarthy: Questions if digging leads to finding ledge will blasting be used.

K. McRae: For septic systems blasting is not allowed. If during excavation there isn't 4ft. of suitable material things would stop.

Peter Ogren: Test holes done due to this concern. The formation may have been left over from a period of glaciation. If ledge is hit, this leads to the involvement of the fire dept., state standards and regulations.

Gail Marcus: Has heard, but cannot confirm, part of the steep hill will be removed. Peter confirms this is correct.

Gail also expresses concerns about blasting and that as drawn on plan, house is only 27 ft from hers.

Mike McCarthy: Septic system even dug downward will be above grade from his home. Also asks about footage of leaching fields.

K. McRae: Set back is 10ft to property line, and 4 ft above ground water.

Dr. Iocco: Are there any other questions. If not, does there need to be a vote on this.

K. McRae: Questions if this project will tie into Lynnfield Center Water District or any other water district-There are no proposed wells on plan.

Peter Ogren: Answers Lynnfield Water District on Phillips Rd.

K. McRae: Having any issues getting connected.

Peter Ogren: Replies no. Houses will be in the district; pay the water tax to the entitled water. No plans for private

wells at this time.

K. McRae: Suggests to the board to vote for a Title V to be done for Lot #1, and respond back to planning board.

Dr. Iocco: Makes Motion: Requesting a Title V inspection for 109 Lowell Street.

Dr. McCausland: Seconds. All members are in favor. **Vote 3:0**

(Dr. Migliore Leaves meeting)

COVID-19 Updates:

K. McRae: Begins with the state announcement of lifting of COVID restrictions as of May 29th, 2021. A select few will remain in place for face coverings in specific situations such as: public transportation, certain health care facilities, and among individuals who are vulnerable – congregate healthcare facilities.

Dr. Iocco: Asks about the Senior Center being opened.

K. McRae: Answers yes; May 31st, 2021, all should be opened - restrictions lifted.

Dr. Iocco: Asks about the ratio of students being vaccinated. Kristin answers that a contact was given for PELMEDS. A call was made to them for in-house vaccinations with 2 clinics at the schools. There is a state option for businesses to book vaccinations at their locations. Lynnfield's positive case numbers are way down: Last 14 days 16 positive tests. Total 14-day tests 992 week.

Update on Grant Application Health Regionalization

Dr. Iocco: The Grant was approved for three towns; Reading, Lynnfield and Wilmington to share services. However, the third town Wilmington, backed out. Moving forward does not seem to make sense, and he feels it was not a good fit for Lynnfield and its community. Lack of support from Chairman of the board of selectmen, town administrator feels finding a third town replacement was not worth the effort. The best benefit was financial, but unsure of what out town's portion would've been. Out basic need is more funding for public health nurse. Reading could not help Lynnfield with Septic issues. Our food codes are being handled just fine.

Dr. McCausland: Agrees with Dr Iocco's comments.

Dr. Iocco: As this is in the minutes, it can be reviewed by anyone in the future. There is no vote required here. Subject is simply being discussed.

K. McRae: Thanks board chair and co-chair for their sentiments shared tonight

Mosquito Control

K. McRae: Lynnfield does have mosquito control through NE Mass Mosquito Control and DPH, testing will be running soon. It is anticipated that we are in a year 3 of a 3-year cycle for Triple E outbreak. Testing happens in different areas - DPH reports they are right on target for timing of testing. The information comes to the BOH between NEMMC and findings from the DPH. Lynnfield BOH's website has a link to Triple E as the state updates their findings and information. It will be all linked there.

Warrant Articles for Annual Town Meeting, June 12, 2021

Dr. Iocco: Asks if the concern here is revolving funds.

K. McRae: BOH budget is level funded; public health nurse - \$6,600 would be the line item. The revolving fund is just the flu clinic piece. We are authorized for \$15,000, but have only \$1500 in it. We do not have \$15,000 in our account as listed in the information packet. The rest will be level funding.

Dr. Iocco: Spoke with town administration and made it clear that the BOH's biggest concern was a public health nurse and getting funding for this. It was made clear that no increase would come for it. We are level. If the public nurse situation we have continues, the less we will have, unless we can be funded in other ways. Dr. Iocco request an email of the BOH's budget – so he will have numbers in hand before he tries to meet with them again. Funded. Moving forward, without an increased budget, the health department isn't going to change in terms of public health. Town administration is aware of this. At last meeting, the health department's budget was brought up and there was no indication from town administration regarding a budget increase. Lynnfield's schools will be getting funded.

Other Businesses

K. McRae: Fall nursing internships. BOH was solicited by nursing program at Endicott College for their public health nursing majors. Maybe increase revolving account by having more robust flu clinics for children, which could lead to reimbursement and grow the revolving account funding. Town administration gave an increase to current

town nurse, making fewer hours to distribute. That line item is only budgeted for \$6,600.

Dr. McCausland: Asks if this increase reflects in the BOH budget.

McCausland: Mentions that the increase was not the board's decision and now puts members in a difficult position.

K. McRae: Person is not on payroll – this is an invoice being billed to BOH for now. \$6,600 is actually budgeted position. A nurse position would be a concern; Pay vs. weekly hours would be extremely lean.

Dr. Iocco: Consider an intern is someone who is learning and would need guidance.

K. McRae: Agrees and asks Dr. Iocco if he was inclined to meet with town administration again.

Dr. Iocco: Refers to the attached budget in meeting packet and asks if budget is listed.

K. McRae: Answers no (will get it to Dr. Iocco).

K. McRae: Endicott College nursing internship program and placing seniors in internships. Details of the program's criteria and other requirements. The challenge is that in the fall, students looking for 30 hours per week. Kristin hopes the board would look further into this as it's unclear of what changes may come in the fall. Kristin also explains again that augmenting children's flu clinics would help increase the revolving fund if state requires children to be vaccinated before returning to school. BOH playing a larger part would help.

K. McRae: If looking further into this, maybe spread intern's position through school nurses, and assist there for school age children's flu clinics.

K. McRae: Suggests, intern could not solely work with the BOH. Could work with Lynnfield counterpart. Then would receive a well-rounded public health experience. Kristin then asks the board to share opinions.

Dr. Iocco and Dr. McCausland: Both agree a well-rounded experience would be better by receiving exposure to public programs and working steady with school nurses. Also, intern could work remotely gathering and enter data, setting up programs for health fairs.

K. McRae: Region 3B work plan with deliverables. 3B wants BOH working on chemical, biological, radiological and nuclear planning. This will be one of our future shifts. The rest is close to usual activities. Drills, meetings, MAVEN. Emergency dispensing site needs 1 updated section. Also, medical reserve Corps be active. This is the work plan for 2020-2021.

K. McRae: Announces that Center Plaza has contacted her and is ready to get their new septic plans ready. There is some pre-construction issues at the moment. An informational meeting is planned for this.

Healthy Lynnfield has deemed May Mental Health Awareness month.

Updated emergency contacts for MassDEP are required.

Correspondence

K. McRae: Responded to the Lynnfield resident who wrote letter about the health regionalization grant. She also extended invitation to attend this meeting.

Memo from Town Accountant, withdrawal of the septic loan program which has been on hold.

Dr. Iocco: Concludes that it seems possible to enter program again should we want to.

K. McRae: Answers correct. Real estate is moving and loans are still less than 5%. May stay there for a while.

Dr. Iocco: Asks if school expansions will include septic changes

K. McRae: Answers yes. She hasn't received information on septic changes because being done by MassDEP and town engineer. They should be giving us a copy

Invoices

K. McRae: Mileage invoices seem to not be processing correctly. Asks Dr. Iocco for his signature.

All members plan the next 2 BOH meeting dates **June 17th and July 15th** are set for next meetings.

Adjourn: Dr. Iocco: Makes motion to close meeting. Meeting adjourned at 7:32 PM.

Attachments

Minutes of Thursday May 20, 2021

BOH Meeting Packet

211 Summer St.- Plan Lots #1 and #2

211 Summer St. – Site map

Lot #1 – Plot plan.

Lot #2 – Plot plan
Memo –K. McRae to Meisner Brem Corp., System plan Lot #1
Title V – 211 Summer St.
Decommissioned Well Report – 211 Summer St.
Memo- K. McRae to Meisner Brem Corp., System plan Lot #2
Attorney Letter – To BOH 271 Main St.
Memo – K. McRae to Planning Board – 271 Main St.
Definitive Lot Plan- 271 Main St.
Site Map - 271 Main St
Lot #1 – Plan 271 Main St.
Lot #2 – Plan 271 Main St.
Site Plan – 109 Lowell St.
May 11, 2021 Memo – From K.McRae to P. Ogren
Letter from Hayes Engineering RE: Memo K. McRae 5/11/2021
May 17, 2021 – Definitive Plan Letter for 109 Lowell St. from Planning Board to K. McRae
Site Plan – 109 Lowell St- New Lots 1-4 plus existing home.
Definitive Plan – 109 Lowell St.
Existing Watershed Map – 109 Lowell St.
Proposed Watershed Pan – 109 Lowell St,
Press Release – Governor’s Press office-COVID-19 notification of lifting restrictions.
Grant Application for shared services program.
NEMMC - Public meeting notice/agenda – Notification of Northeast mosquito control.
Mass.gov – Notice update – Eastern Equine Encephalitis. (Triple E)
Lynnfield Town Warrant -June 12, 2021 Annual meeting notice
Syllabus – Endicott College school of nursing.
PHEP workplan – Deliverables 1-7
Septic system repair plan – Centre Plaza
A Healthy Lynnfield – May Mental Health Awareness Month.
BOH – Official email address & emergency contact list
MassDEP – Drinking water program
Letter – From K. McRae to resident.
Resident letter – Re: Health Regionalization Plan. (Grant)
Letter –Re: Title V Assistance - From Julie McCarthy to Dr. Iocco.
Letter – To town engineer from MassDEP Re: Title V variances for upgrading Lynnfield Schools.
Letter – To town engineer from MassDEP Re: Approval of Title V Variance for Lynnfield Schools.
ZBA Agenda May 4, 2021
McRae Memo to ZBA April 30, 2021

Minutes of Lynnfield Board of Health Regular Meeting April 15, 2021

Present:

Dr. Rocco Iocco, DMD, Chair

Dr. Gail Link McCausland, DMD, Vice Chair

Dr. Kelly Migliore, MD, Member

Kristin Esposito McRae, RS, Agent/Director

Maria Welsh, Recording Clerk

Attendees:

James Kavanaugh – Engineer, Kavanaugh Engineering

Gordon Rogerson - Hayes Engineering

Mr. & Mrs. Chen - Owners of 4 Sparhawk Drive

Seth Freidus- General Manager of Alchemy Restaurant

Thomas Peterman - Engineer for Alchemy Restaurant

K. McRae Announces the following and this call is being recorded:

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 join the Zoom Meeting.

Dr. Iocco calls meeting to order-5:35PM

Review and approval of Meeting notes from Thursday March 18, 2021

In reviewing the meeting minutes - an error was found regarding one of the addresses relating to a septic system reviewed for Title V at 3 Dale Road. 3 Dale road was incorrectly documented as 4 Dale Road. The change was identified and listed correctly. Dr. Iocco asks Dr. Migliore if she had a chance to review the meeting notes; which she had.

Dr. Iocco- Motions to approve the meeting notes from March 18, 2021. All members are in favor and reply "Aye" Meeting notes with corrections are **unanimously approved.**

399 Edgemere Road-Local Upgrade Approval

Dr. Iocco opens by asking Kristin McRae to present the details for this property's septic system upgrade.

K. McRae - Begins stating that this 4 bedroom home's septic system is failed, requiring a repair/replacement. There are 2 local upgrade requests. Due to a setback to Pilling's Pond, a tributary to drinking water, the water supplier was in agreement with the approval. Kristin then turns to the Engineer for the project, James Kavanaugh, of Kavanaugh Engineering.

James Kavanaugh - Explains this is a very limited site. His plan is to put the new system in where the existing system is now. This was the best plan he could do in this situation. The plan was also approved by Lynn Water Supply.

K. McRae - Says no particular points were issued to be drawn out by these plans, and James Kavanaugh replies by pointing out again that Lynn Water Supply approved the plan. K. McRae brings up something slightly unusual about it, the septic system is actually located on 400 Edgemere Road, not 399. In speaking with the owner (s) - 3 parcels of land are being sold together, and asks James to elaborate on this.

James Kavanaugh - Replies that they are selling all 3 parcels of land as a whole. The town engineer was consulted and has looked at this proposed plan. He also approved said plan.

K. McRae - Addresses board members for further discussion and input.

Dr. Iocco - Asks about the sale of the 3 plots as a whole and wants to know if there will be one deed for each parcel of land or one deed for all 3.

J. Kavanaugh - Explains he's not sure and would have to check, but believes there will be 3 separate deeds. Dr. Iocco - Expresses his concerns about the deed set up. In the future if the property is sold and sub-divided, there would have to be separate deeds especially if someone purchases 399 Edgemere Road since the system is located on 400 Edgemere Road.

Jim Kavanaugh - Points out that the 3 properties are adjoined. There is an existing Grandfathering that could be lost if the 3 parcels of land are sold separately. Once the deed is in a single name, the lots cannot be split.

Dr. Iocco - States he's OK with the setbacks given the tributary and the approval with Lynn Water Supply, but is curious if there will be a barrier installed between the tank and the leaching field. Also, if this has been included in the plan.

Jim Kavanaugh - Does not show a barrier in the plan. There is no break out, so it is not required by code. The system is not mounted.

Dr. Iocco - Decides that if Kristin McRae is OK with this system not having a barrier then he is fine with it too, but he would feel more comfortable if there was a barrier.

***Dr McCausland joins the meeting - and will abstain from this subject since she has missed the details from the beginning. ***

Kristin McRae - Affirms that this is fair, and begins to present 2 waiver requests for 399 Edgemere Rd.

1. **Request for a variance on local upgrade approval for the reduction of the SAS from a tributary to a surface water supply from 200 ft to 152 ft.**
2. **Request for waiver for reduction of septic tank from tributary to surface water supply from 200ft. To 180 ft.**

Dr. Iocco - Makes motion to grant both local upgrades variances .

Both Dr. Iocco and Dr. Migliore reply "Aye" and the motion **unanimously passes.**

15 Melch Road – New Construction

K. McRae provides a brief summary of the new construction plan for 15 Melch Road. Plan was reviewed by K. McRae; see memo 4/7/21 plan review comments; Gordon Rogerson of Hayes Engineering in receipt. Plot has a significant amount of ledge. Soil tests revealed ground-water varies along the ledge and property contours. New construction must be in full compliance with no variances. Kristin mentions one stipulation that may seem important to the board for deciding approval. Hayes Engineering wasn't retained to oversee the supervision of the project, and with so much ledge on property recommends that it should be fully reviewed by an engineering firm when the entire excavation is completed to ensure proper soil conditions are present. Also, to check if the property lines have been verified. Kristin refers all to the meeting packet containing plan for 15 Melch Road, and calls on Gordon Rogerson to explain further.

Gordon Rogerson - Begins by addressing the 2 comments made by Kristin McRae. Property lines have been staked; house lines and septic system are clearly defined. In reference to supervision, Hayes Engineering does bottom inspection and also notes that existing holes from the previous test are now filled up. Gordon requested that the last contractor pull a permit, and dig out material that was back filled into the existing holes - large boulders must go and be replaced by C33 sand. Gordon says he will make sure this is done and will personally oversee that this gets done. Typically, he does not supervise the project, but will keep in contact with the contractor to make sure it's getting done. Stormwater chambers are not required. Comment # 3 soil logs terminate 74" and 84"; a typing error stating no refusal but there was, in the test holes. Surface elevations and depth to groundwater ratio of test holes resulted in the same elevation. Gordon is confident in the

groundwater; slopes off in 4 directions. Confirms there is ledge in front of the property-But in digging, the machine was able to move large pieces of rock, which will be taken out. The trenches are step trenches running high in the East and low to West. The plan is an installation of a 1K gal pump chamber that will lead to upper D-Box, allowing waste water to go through trenches comparable to the usual bed and stone system. A 1500 Gal. tank will be installed-proposed for a 4 bedroom home. The plans meet all off-set distances and include the use of town water. Gordon hopes the board's decision will allow the continuation of this project and opens for questions from the board. Kristin McRae thanks Gordon and refers to board members for any questions or input.

Dr. Iocco - Questions K. McRae new construction needing a vote.

K. McRae - Responds that new construction has been on the BOH agenda for a long time. Board still votes to accept plans, and that she would feel more comfortable if Hayes Engineering was overseeing the excavation because it could be complicated. Large boulders could turn out to be pieces of ledge and that most of her primary concerns were addressed by Gordon.

Dr. Iocco - Asks if abutters need to be notified.

K. McRae - Answers no.

Dr. Iocco - Makes motion to accept this plan at 15 Melch Road as submitted by Hayes Engineering, with no variances to be granted and the fact that it is new construction.

Dr. McCausland - Seconds the motion.

Dr Iocco - Asks all in favor; All board members reply "Aye" Motion **unanimously passes**.

4 Sparhawk Drive – Title 5 Needs Further Evaluation

Dr. Iocco opens agenda #5 - 4 Sparhawk Drive. There is an in-depth background on this subject so he calls on Kristin to continue with more details.

Kristin McRae - Explains that a perc test application was submitted to the BOH-But the engineer and installer put this project on hold. After that there was a communication breakdown between the home owners and the engineer and installer. This past winter, the owners had a Title V inspection done - dated March 8th, 2021. The result of the inspection was noted as "needs further evaluation by local approving authority". Leaching field would have had several leaching lines and what was found was a tank and a 30 ft. leaching trench. The trench was snaked and it led to an inground pool. No further inspection was allowed beyond that point. The system was installed in 1968 - Before the owners lived there. There was also an addition added to the home changing the count of bedrooms from 3 to 4. The septic system was never upgraded from a 3 bedroom capacity to a 4 bedroom capacity. In addition, the home is less than 400ft from a drinking water supply.

Lynn Water Supply was contacted and provided this response. Kristin reads the response from the Lynn water supply commissioner who stated that the home's septic was designed for 3 bedrooms and is undersized for a 4 bedroom. There are concerns about the snake running into the side of the pool at 30ft point, and the system may not meet Title V compliance in accordance with Massachusetts state regulations. Conclusion: System should be upgraded to capacitate a 4 bedroom count and water supplier would be in support of an upgrade to 4 bedroom compliancy. Kristin suggests a new design plan be made to support the 4th bedroom and bring the system up to Title V passing compliance. Right now the system is still listed as needs further evaluation. The home owners explain they are now looking to sell their home. They would like to sell it as-is for 3 bedrooms. Currently they are not selling through a broker. Kristin recommends owners hire a contractor to fix the septic system and bring it up to passing Title V - including capacity for the additional bedroom. Kristin advises the home owners to work with a real estate agent who can help them through this process (especially the difference between 3 bedrooms and 4 bedrooms discussed). Owners understand and request to return before the board once new plans have been created and are also open to working with a realtor.

Alchemy Restaurant, 1100 Market St-Food Code Variance

Dr. Iocco opens agenda #6- A new restaurant to be added at Market Street, requesting a variance to outer openings protected and sushi (acidified rice).

K. McRae- Explains the variances are to be issued for the outer openings relative to the proposed: Expanding outdoor bar from prior occupants' planned space and outer openings are not protected. Food code changes have happened and pest control must be discussed as a concern. See Food Code reference in packet 6-202.15 Outer Openings Protected.

Alchemy's HACCP plan has been submitted but Kristin is focused on the fact that construction is now based on 3 bars. One inside, one outside and one located in the middle of the restaurant. There is also concern where the Sushi prep will be located. BOH needs to vote on variance to outer openings to be protected.

K. McRae: Opens discussion to Seth Freidus; the General Manager of the Alchemy Restaurant that will be located at Market Street Plaza. Seth hopes to be able to answer and assist with any questions and concerns. He begins explaining that the Sushi will be prepped in the kitchen and rolled where the original occupant's bar was located. Kristin has concerns that the bar may be too close to an opening that leads to a patio. Previous occupants had air curtains in this location but no Sushi was being prepared/handled which is a sensitive food item. There needs to be proper protection here to eliminate pest entry.

Seth - Says that distance is sizable from where Sushi will be rolled to the outside bar, and the area is closed off to the outside.

K. McRae - Asks if the area is closed in by a wall and also if any portions are opened.

Tom Peterman - Architect for this project introduces himself and explains the existing bar from the old Gas Light restaurant will be converted to a Sushi station - Location 20-35ft in excess from outer wall. There are also 2 existing Nano walls - which were part of the original construction. No changes will be made to them, The outdoor bar will not have any changes to its operations. The only change is an extension of 3ft. No food will be stored, prepped or cooked at the outdoor bar location. It will operate as a bar only.

K. McRae- Asks to confirm that the air curtains are still in place and asks about their condition, and if the curtains will remain in operation and will there be a full bar menu for outside that would create more mixing, unlike just pouring beer / wine. Also, placement of the bar kegs, taps - will they be outside. Another concern is where will all these products be stored at night after closing.

Seth Fredius - Answers that they are converting the current back bar fridge left from the previous occupant into a draft fridge. We're also getting a keg cooler with a draft system which will be taking the place of an older one. Leftover garnishes for drinks will be brought out on batch trays and brought inside and stored overnight. Nothing is going to be made outside.

K. McRae - Has concerns regarding overnight storage of kegs etc.

Seth - Answers that all will be brought inside and items needing refrigeration, will go in a walk in fridge. All alcohol will go to the interior bar area. Kegs will be stored in a locked outdoor fridge.

K. McRae - Asks Set if he's gone through Lynnfield's Board of Selectman for this segment of a liquor license and Seth replies that the liquor license was approved; including an outdoor liquor license.

Dr. Iocco - Questions how many patrons will be allowed seating at the outdoor bar and Seth replies there will be seating for eight. The extension of the 3ft., applies only for a space to accommodate an outdoor dishwasher for glasses.

Dr. Iocco - Directs a question to K. McRae whether there are 2 bars or 3. Seth replies that in fact there are only 2 bars at the restaurant. The plan is to use the old bar as a Sushi station only. There will be a main bar inside the restaurant, and a bar outside.

Dr. Iocco - Asks about Sushi storage, in particular rice. Where does the leftover rice get stored, and is it refrigerated. Seth replies that he is not all that familiar with the Sushi rice storage techniques, but ensures that the board that his chef is well versed as is upper management in the protocols.

K. McRae - Confirms the HACCP plan was submitted with a lab report, however deems this an operational item with time to work out if there are items there to address. The Recent lab report shows the proper range of pH levels needed in safe rice storing. Kristin asks about the outdoor bar and about an awning for overhead

protection.

Seth Fredius - Answers that the same awnings will be used from previous occupant.

Tom Peterman - Mentions roll out awnings that will cover most of the bar. Owners would like a new canopy or awning covering the bar as well.

K. McRae - Proposes that the board would like to see all equipment outside fully covered (overhead). Lighting will also be a consideration - Area must be well lit and lights must be shatterproof.

Tom Peterson - Answers that the outdoor lighting will be remaining and that the glass is shatterproof. Kristin addresses pest control again and would like to hear more from representatives on their plan. A pest control plan was submitted and also a bird plan was recommended to be implemented. Birds, insects, rodents are all part of the concern for an outdoor space. Kristin asks Seth to elaborate on Alchemy's pest control program.

Seth Freidus - Answers and says that they plan to take all necessary precautions, and follow a detailed pest control program.

K. McRae - Addresses the board to consider the change in food code plan. Wording like controlling pests is now worded Pest Free, and the board recommend putting a contingency stating that if the establishment will self close due to any pest control issue. Previous occupants there had one complaint of rodents, and an adjacent occupant had a couple related to their patio areas. Also, there are plenty of wetlands surrounding the Market Street area, creating a natural place for harboring rats, mice, etc; These are my concerns. Also birds. Your submission did not have a specific plan for birds, which are an outdoor dining/bar issue.

Tom Peterson - States that birds would be one purpose for the awning at bar. Kristin recommends the initiation of the bird program as part of the pest control plan, but will leave this up to BOH members to decide.

Dr. Iocco - Asks Kristin if other restaurants at Market Street Plaza with outdoor dining have had these kinds of pest control; Kristin answers by stating none had an outdoor bar, and that is where most of the concern lies for pest control. Dishwasher, mixing and serving drinks, and an ice bin - all the garnishes combined with patrons dining outside are a concern. Yard House had an open service area that over time was closed up. Here the bartenders will need soda guns and taps, bottles, liquors and beer taps, garnishes and ice at the ready.

Dr. Iocco - Asks Kristin if the last occupants had the same regulations imposed on them.

K. McRae - Recalls that they got a variance for an outside protected situation with a minimal set up. When they started operations it was winter and no outdoor dining was happening. Most of our inspections were done in winter.

Dr. Iocco - Feels that an 8 seat outdoor bar should have all the proper safety codes in place, both for pest control and birds overhead for protection of patrons.

K. McRae - Asks if any other board members have questions.

Dr. McCausland - Responds that she is in full agreement with Dr. Iocco's summary and input.

Dr. Iocco - Is prepared to make a motion: Approving the 8 seat outdoor bar with conditions:

1. Covering overhead for patrons, Bird Program must be included in the pest control program, and adequate steps must be taken for pest control management.

Dr. McCausland - Seconds motion *All members reply 'Aye' and motion unanimously passes.

K. McRae - Presents the next item involving Sushi rice, HACCP plan and other details.

Kristin asks Seth if he is requesting a variance for Sushi Rice plan and Seth does not believe so. Kristin states that it's not so much about a variance as it is an acceptance of the HACCP plan. The BOH has those documents and if Dr. Iocco would give authority over to Kristin, she will work with the Food Health Inspector and go through the documents to ensure everything is in place.

Dr. Iocco - States that he is fine with that.

K. McRae - Asks Seth if the restaurant will be serving brunch daily or only on Sundays. Seth answers brunch will be served both Saturdays and Sundays. Kristin addresses the issue of pooling eggs and Seth says this action will not be done or necessary.

K. McRae - Brings up Alchemy's menu. There are a variety of uncooked or raw items - Disclosures must be posted very clear on their menu, and an example menu was missing an asterisk for disclosure at the bottom of the menu. Will this be posted on the menu?

Seth Freidus - Explains that the menu is in the working process; formatting and adding visuals. Once menu formats are done, he will go through and check for proper disclosures. Kristin tells Seth that the finished menu must be seen by the BOH ahead of opening. Also Seth needs to plan a pre-opening inspection.

Tom Peterman - Adds that the opening target month is May, or more towards June.

Kristin McRae - Adds that there's plenty of time to get all the issues mentioned tonight resolved and a pre-opening inspection date confirmed. Also a choke saver must be employed on every shift. Someone who can perform the Heimlich Maneuver/certified in anti-choking. Kristin emphasizes that this be done sooner than later. After she has reviewed the HACCP plan, and Seth submits a filled out food establishment permit - she will be in touch. All of these documents may be sent in together. Kristin and Seth exchange contact information. Kristin also requests the augmented pest control plan be submitted as well.

Nominations of Animal Inspectors

Dr. Iocco is the nominating authority for the BOH and nominates Patricia Freedman as Lynnfield's Animal Inspector Officer, with Kristin McRae as back up.

Dr. McCausland - Seconds the motion.

All members are in favor by replying Aye. Nominations **unanimously pass** for Animal Inspector officers.

Town Annual Report Calendar Year 2020: Kristin McRae states the following report was due today. She wanted the board to have copies to look at. All comments are welcomed.

Dr. Iocco - Says that he has reviewed the report and it seems it was a busy time for construction in Lynnfield. Fees collected were higher than the projections. Kristin adds that private wells, both drinking and irrigation increased in number. As long as everything is fine with the board, Kristin will go ahead and submit the annual report for the year 2020. Agreed.

COVID-19 Updates - Kristin begins with Lynnfield was in the yellow and will probably remain there. Lynnfield had a total running case count of 1,149 from the start. The last 2 week count was 42 - And the daily count was an average of 25.9 during this time. By Lynnfield staying in yellow, we yielded a 2.8 % positivity rate. This data is based on the prior week's data.

The Johnson & Johnson vaccine pause was the main discussion this week with DPH calls and meetings. Clotting and low platelet counts is in need of physician training on how to treat that. The state is also looking at the variants of the virus in 2 ways:

1. Random sampling at large CDC contracted labs
2. Events such as reinfections after vaccinations.

The American Rescue Plan Act (more funds coming to cities and towns) and one was Public Health. These funds could enable the town to bring on a public health nurse, also investments in water and sewer. These could be an improvement to the town. Kristin opens the discussion to the board for questions.

Dr. Iocco - Asks if schools have opened full-time and Dr. McCausland replies that they are back. Dr. Iocco also wants to know about team sports. Dr. McCausland explains that school sports have been modified congruent with the Hybrid method. Kristin adds that coaches have been identified for quick-respond to reports and calls from BOH/school nurse liaison; communications have strengthened between the REC Department and Emergency Management/BOH/School Liaison.

Item #10 Grant Application - Health Regionalization Update -

Dr Iocco begins by stating that he and Kristin requested the application from the Town Administrators. There were some things that were of concern to him. Of course no one can make a final judgement but this is good to discuss. There were some inaccuracies in the wording of the application. Dr. McCausland asked who

would represent Lynnfield and the response was the Town Administration, or possibly Glenn Davis. So we as board members appeared to have no chance to add anything to it. Dr. Iocco found that the Town Administrators not having access to the actual application seemed interesting, having to email the Assistant Town Manager of Reading for the information. That detail seemed concerning, as if the Town Administration never saw the actual application before it was submitted. All in all, no one is sure that Lynnfield is a good match with Reading and Wilmington. Wilmington, who never actually knew that they were listed as one of the 3 towns included. It's just odd. Dr. McCausland added that Wilmington was never mentioned at the meeting and the BOH was not aware they were even a part of this grant. Dr. Iocco agreed. The third town was never mentioned specifically.

The Lynnfield BOH members agree that the logistics to plan this regionalization appear to be an overly large task and all members also agree that this plan is not for the benefit of Lynnfield, but more in favor for Reading. Reading has shown instability with at least 6 Health Agents/Directors in the past 10 or 11 years. Lynnfield resident sent correspondence to both Dr. Iocco and Dr. McCausland, declaring concerns and made very valid observations and points. Dr. McCausland would like the Lynnfield residents' comments sent to her included in the written packet for this meeting. Kristin believes that she may be able to without naming names. Dr. Iocco closes this topic with these thoughts. The grant application seems to need weighing of benefits and disadvantages. Right now it appears to be benefitting Reading and not helping Lynnfield at all. The only piece that may be helpful to us is funding for a part-time Public Health Nurse. There would be no help with Title V needed. Lynnfield's Food Health Inspections are being taken care of and running smoothly. Lynnfield could benefit at this time with a Public Nurse, but we could not share this position with 3 other towns.

Approval of this grant went through very quickly. Reading may be looking to fill their needs more than ours.

\$300,000 sounds like a lot of money. However, distributed throughout 3 towns it won't be. If this grant money is used and dispersed, within a short period of time, funding will be needed to be applied for again. Lynnfield also gives up some of its independence and its character of township. Dr. McCausland agrees. Splitting the amount between 3 towns brings into question what percentage would Lynnfield's cut be. It might be less than what was originally planned. In the best of circumstances, the logistics alone to get this done seem quite large resulting in a lot of work and planning. Kristin McRae adds that the one thing that should always be considered is what is best for Lynnfield. Funding for a Public Health Nurse is needed and maybe this grant would help with that, but also it may be possible to be funded through other (rescue) money. Dr. Iocco is very glad that this discussion was had. One way or another, things may change.

Dr. Iocco explains how much the health department brings in vs. the amount allotted to budget. He hopes that an amount of money could be set aside for a part-time Public Health Nurse position in Lynnfield.

K. McRae - Suggests Dr Iocco move to make a motion for a Public Health Nurse position for Lynnfield.

Dr. Iocco - Has no problem doing this but it must be for 15hrs/wk. If it reaches 20 hrs/wk. the town would need to pay benefits. In the future, the state could turn it back to municipalities in terms of vaccinations. A site dispensary might also be a good idea to set up with a public nurse as well.

Dr. McCausland- Does not disagree, however feels the request would be met with the answer of waiting for the grant. She doesn't see the Town Administration distributing money before the status of the grant is known.

K. McRae - Brings up that if the grant is approved it may go to Dr. Iocco for his approval.

Dr. Iocco - Agrees and fully expects the board will have the final say.

Town Meeting Warrant Memo, Warrant Closes on May, 3, 2021 - The warrant will close on May 3rd, 2021. Anything that needs to be facilitated needs to be done by May 3rd.

K. McRae - Begins to end the meeting by saying that she has no other topics to address, and asks if we should end the meeting or would other members want to add anything.

Dr. Iocco makes a motion to close the meeting. All members present agree and the meeting ends at 7:40 PM.

A date is set for the next BOH meeting of May 20th, 2021.

Attachments: BOH Meeting Packet

Board of Health Minutes of Thursday March 18, 2021

399 Edgemere:

- T5 Official Inspection 3-12-21
- DSCP Application
- Plan Excerpt
- Mapping Tool
- Email from James Kavanaugh, 3/30/21
- Email from Richard Dawe, 4/13/21
- Code Reference 15.411
- Email from James Kavanaugh, 4/9/21

15 Melch Road

- DSCP Application 4/1/21
- Memo (plan comments) 4/7/21
- Plan Excerpt
- 4 Sparhawk Drive
- T5 Official Inspection 3/8/21
- Email McRae to R Dawe 4/13/21
- Plan 1968
- Application 1968
- Letter to Dr. Iocco from Te Chen, 4/8/21
- Email McRae to Te Chen 4/13/21
- Email R Dawe 4/14/21

Alchemy

- Plan Excerpt of Outside Bar
 - Memo Notes for Discussion 4/15/21
 - Code Reference 6-501.11 Controlling Pests
 - Food Operations Guide Excerpt Overhead Protection
 - Email Michael Smith 4/12/21
 - Statement Goal to operate the existing service bar in outside patio area
 - Floor Plan
 - Pest Elimination Services Agreement EcoLab and Serenitee Restaurant Group
 - Biomarine Certificate of Analysis Sushi Rice for pH, 4/12/21
 - Department of Agricultural Resources, Nomination of Inspector of Animals, 3/5/21
 - Nomination of Inspector of Animals Form, Patricia Freedman
 - Nomination of Inspector of Animals Form, Kristin Esposito McRae
 - Memo Office of Town Admin, 2020 Annual Report, 3/16/21
 - 2020 Lynnfield Annual Town Report, Board of Health
 - COVID Update Stats and Color Code Yellow Week of 4/8/21
 - COVID-19 Command Center, 4/8/21
 - Email DPH Pause of Johnson & Johnson COVID-19 Vaccine, 4/13/21
- Memo Office of Town Admin, Town Meeting Warrant, 3/16/21

Board of Health Minutes of Thursday March 18, 2021

Present:

Dr. Rocco Iocco, DMD, Chair

Dr. Gail Link McCausland, DMD, Vice Chair

Dr. Kelly Migliore, New Member

Leo Cormier, Acting Director, Health department

Maria Welsh, Recording Clerk

Attendees:

Glen Davis – Director of Lynnfield Emergency Management

Bob Curtain – Assistant Town Manager

Joseph O'Callaghan, Building department

Thor Akersley - William & Sparages

Luke Roy PE – LJR Engineering

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.

Dr. Iocco calls meeting to order-5:31PM

Review and approval of Meeting notes from February 25, 2021

Both Dr. Iocco and Dr. McCausland approve February 25, 2021 meeting notes. Motion is made to approve February 25, 2021 meeting notes: All members unanimously vote to approve BOH meeting notes.

Covid 19 updates

Dr Iocco introduces Glen Davis of the Emergency Management Team for COVID -19 updates including vaccine information.

Glen Davis provides COVID - 19 updates and remarks – for the year to date and recent.

Past 14 days - 35 new cases, past 7 days - 10 new cases. Lynnfield is headed in the right direction. Vaccinations are a big contributor to downward trend. Lynnfield has done a great job with the small amounts of vaccines given by the state and federal government. Lynnfield's seniors have been main focus for clinics. March 6, 2021 - All 4 senior housing facilities plus homebound individuals were vaccinated. Total vaccinations: 64. The number seems low. Community outreach reported that many seniors were able to find vaccines elsewhere; state sites with assistance of navigating those websites.

March 13, 2021 - 2nd dose clinic – Age 75+: All interactions pleasant between vaccinators and nurses for the town and Lynnfield's seniors seemed happy to be receiving their 2nd dose against COVID - 19. Recently released vaccine totals from the state indicate as of today: Lynnfield's 75 + = 94% vaccinated. 65-74 = 83%. Our population is getting vaccinated, even though Lynnfield's vaccine amount received was small. Glen suggests that everyone pre-register no matter what phase you are in. State has partnered with Google, and now everyone can pre-register without computer hassles. At Mass.Gov, click on the vaccines then pre - register.

The site takes all communication information - text, email and phone and puts candidates in a queue. Candidates will be notified once their proper phase begins. Glen strongly recommends the state's program and relayed vaccine announcement of phases from Governor Baker.

March 22nd - Ages 60+ eligible, and certain work groups: Restaurant workers, grocery workers, Transit workers, Uber drivers, taxi drivers, public works employees and funeral employees. April 5th - 55+ individuals will be eligible and April 19th, 16+ all become eligible for vaccinations. Glen cautions that there are still vaccine shortages. State warns that even though there is accessibility, there will be delays from federal to state levels.

Glen wraps up and welcomes questions from the board.

Dr. Iocco Asks about teachers and what phase will they be in.

Glen Davis Replies that teachers are within the current phase; Phase 2 which includes any educator employee. Four days have been set aside in April specifically for educators at the MA. State sites. Exact dates can be found on the state website.

Dr. Iocco Asks if Lynnfield is still receiving vaccine shipments per week.

Glen Davis Replied no. Lynnfield is not. That has stopped.

Dr. Iocco Then asks if the vaccines will all be Moderna from the state.

Glen Davis Replies yes and explains that Lynnfield was supposed to get vials of Johnson & Johnson but they were re-deployed to the senior housing department.

Dr. McCausland Asks how many doses were given in the 1st 75+ clinic and how many did not show up for their 2nd dose.

Glen Davis Replied that only two people missed their second dose and they are on a call back list for remaining scheduled 2nd dose clinics, praises Lynnfield's town nurses, paramedics and fire department for their professionalism and their attitudes, especially working with our seniors.

Dr. McCausland Would like to know if there are extra doses from the senior housing clinics.

Glen Davis Explains that we do not have extra. Every dose in Lynnfield has been accounted for and all have gone out within the correct phasing.

Dr. McCausland Would like to know how the state is calculating the 94-95% of seniors and how do they calculate at the Double Tree location.

Glen Davis Replies that at the end of each clinic, information is entered into the Prep Mod system, which then reports to the states MIIS system; a national system that keeps an electronic data base and records of MA residents who get vaccinated. These systems register by demographics, age etc.; then all information gets reported from the state at the federal level.

Glen Davis closes by giving an update regarding phase 4 beginning March 26, 2021.

*Changes to re-openings and gatherings - Step 1: Gatherings indoor public increased to 150 people. Private gatherings at residences still remain at 10. All outdoor arenas, sports facilities, are at maximum 12% capacity.

Dr. Iocco Asks if the 10 number for private gathering includes vaccinated people because the CDC does not specify.

Glen Davis Responds that the state wide indoor private gathering mandate has not changed from phase 3. It has not adjusted with vaccinated individuals as a point of reference. If your family is fully vaccinated - then you no longer have to wear masks around each other and you can visit other fully vaccinated family members. The state is still recommending - distancing, keeping visits short and keeping up with appropriate hygiene.

Dr. Iocco thanks Glen Davis for his time keeping the board updated on the handling of Lynnfield's COVID-19 virus, and the updates from state and federal governments.

Dr Iocco moves to the next item on meeting agenda:

19 Ryan Road:

Dr Iocco introduces **Thor Akersley**, of William & Sparages. Thor is a wetland scientist and registered sanitarian. He is also the engineer for the 19 Ryan Rd. project and begins by using a visual layout of his plans to give an in-depth description including how properties near Pillings Pond can be a little too close to this existing tributary. Thor explains the basic history behind the new plan. The existing septic system began to fail and was leading to frequent pump outs. A new septic design was needed, and the challenges do come with installations near Pillings Pond. A while back, Kristin McRae Ok'd an emergency replacement of system with a 1500 gal. tight tank. The new system includes a 100ft buffer zone (DPW) and involves conservation filings. Pillings Pond connects to Hawkes Pond and this project is considered a tributary to a surface water supply. Due to the configuration of the lot, efforts were made to keep design as tight and as close to the property line as possible. The use of an advanced Presby system; a Bio-septic system with a corrugated piping and filter wrapped piping leaching field added.

Leo Cormier Asks if a barrier has been added between the pond and the leaching field.

Thor Akersley Replies yes. An imperviable barrier exists around the entire system; and points out the barrier profile on his plan.

Six proposed variances are requested for the upgrade septic system of 19 Ryan Rd.: Local upgrade approval request for a reduction from 50 ft soil separation to 31.3 ft. to soil absorption to a boarding vegetation wetland.

#1-A reduction from 200 ft separation from tank to a tributary to a surface water supply 34.2 ft from tributary to water supply.

#2 Pump Chamber: To tributary water supply: Request to reduce required 200 ft to 44.0 ft.

#3 A reduction from the 200ft separation from the soil absorption system to a tributary to a surface water supply reduced to 34.9 ft.

#4 A reduction from the 100 ft separation from the soil absorption to a wetland b to a surface water supply to 31.3 ft.

#5 A reduction from a 100 ft separation from the septic tank to a wetland bordering a tributary to a surface water supply to 28.0 ft.

#6. A reduction from the 100 ft separation from the pump chamber to a wetland bordering a tributary to a surface water supply to 37.1 ft.

Thor explains that this newer advanced system will provide better treatment coming from this home and adequate environmental protections. Lynn Water Supply will also be reviewing this plan. Thor asks the board if there are any questions.

Leo Cormier Wants to know if the current system is failing and Thor replies yes it was, but never was deemed an "official failure" - Currently the home is operating off of a tight tank Ok'd by Kristin McCrae.

Dr. McCausland Asks if the Presby Bio System requires any special maintenance.

Thor Ackersley Explains that this system operates on its own; completely passive - So no.

Dr. Iocco Summarizes: Tight tanks are not a great long-term alternative, but agrees with Thor that this is a

major improvement for this situation. However, he has concerns as local authority that the board cannot approve these reductions. They must be approved by MassDEP. The board can only approve these requests. Recent cases that Leo Cormier has been working on e.g.; 3 (4) Dale Rd - and 45 Lakeview Ave., MassDEP has approved. They look at it and within 30 days they answer with an approval or not. This plan seems to be OK with the board, but will be headed to MassDEP for approval.

Leo Cormier Agrees and adds that MassDEP is the way to go with this plan for 19 Ryan Rd. Asks Thor if there were any revisions made to the plans since he last looked at it.

Thor Ackersley Responds that there were minor adjustments made.

Leo Cormier States that he recommends to the board to approve subject to MassDEP.

Dr. Iocco Wants to know if the local upgrade approval to wetlands is an issue for the conservation board to address and is it something that the board of health has to vote on.

Thor Ackersley Answers and says that it is in the Title V as well, but will be reviewed by conservation.

Bob Curtain Adds that he spoke to Emilie Cademartorie regarding this project. She is aware of the situation and the conservation commission is operating on their own track.

Dr. Iocco Asks Dr, McCausland for input on vegetative wetlands, what was done before - to be fair, and have a cohesive approach going forward for similar future projects.

Dr. McCausland Thinks the board can approve local upgrade. Kristin McRae would pass a memo to conservation and make sure this would be on their radar as well. Dr. McCausland suggests a move could be made now or wait for conservation to weigh in. There really is nowhere else to go with this plan and aside from a tight tank - This looks to be it.

Leo Cormier Explains that a notice of intent could be filed looking for a fence (or hay bale fence) between the work area and the pond so if any silts are generated, it wouldn't go into the pond.

Thor Ackersley Mentions that an emergency silt sock is located along the side of the tight tank location and a proposed section of conservation lands in preparation of having to revise this plan again.

Dr. Iocco Is curious, asks how many times on a two-week basis will this 2500 gal. tank need to be pumped.

Thor Ackersley Addresses the home owner Deborah Croke - about the number of times the existing tight tank was being maintained - *The owner did not respond - perhaps has left meeting. Thor adds that he remembers the maintenance roughly between 3-4 weeks, for a family of 3.

Dr. Iocco Is prepared to make a motion for the local upgrade request and variance requests.

***Motion: For local upgrade approval in accordance with 310 CMR - Reduction from the 50ft separation from the soil absorption system to bordering vegetation/wetlands be reduced to 31.3 ft.**

Dr. Iocco: Asks all in favor

Dr. McCausland Seconds the motion

Dr. Migliore – Raises hand in concurrence

Local upgrade is unanimously approved

Variances requested for 19 Ryan Rd.

1st Motion: A reduction from 200 ft separation from tank to a tributary to a surface water supply 34.2 ft from tributary to water supply Pending MassDEP review and approval.

Dr. Iocco: Asks all in favor

Dr. McCausland Seconds the motion

Dr. Migliore: "Aye"

Motion passes unanimously.

2nd Motion: A reduction from the 200ft separation from the soil absorption system to a tributary to a surface water supply reduced to 44.0 ft. pending MassDEP review and approval

Dr. Iocco: Asks all in favor

Dr. McCausland Seconds the motion.

All members reply "Aye". Motion passes unanimously.

3rd Motion: A reduction from the 200 ft separation from the absorption system tributary to water service supply be reduced to 34.9 ft, pending MassDEP review and approval.

Dr. Iocco: Asks all in favor

Dr. McCausland Seconds the motion.

All members reply "Aye". Motion passes unanimously.

4th Motion: A reduction from the 100 ft separation from the soil absorption to a wetland b to a surface water supply to 31.3 ft. pending review and approval of MassDEP.

Dr. Iocco: Asks all in favor

Dr. McCausland Seconds the motion

All members reply "Aye". Motion passes unanimously.

5th Motion: A reduction from a 100 ft separation from the septic tank to a wetland bordering a tributary to a surface water supply to 28.0 ft. pending MassDEP review and approval.

Dr Iocco asks all in favor

Dr. McCausland Seconds the motion.

All members reply "Aye". Motion passes unanimously.

6th Motion: A reduction from the 100 ft separation from the pump chamber to a wetland bordering a tributary to a surface water supply to 37.1 ft. pending MassDEP review and approval.

Dr Iocco asks all in favor

Dr. McCausland Seconds the motion.

All members reply "Aye". Motion passes unanimously.

11 Witham St.

Leo Cormier Adds a brief summary of this project and introduces **Luke Roy** of LJR Engineering. Luke is the engineer for this project. Luke begins to explain the new septic system design for 11 Witham St. He refers to the plan visuals- System is failed and is located in the back of property making it difficult or inaccessible to construct a new septic system. A new location was needed. 3 test pits were done and the 3rd test pit was workable, but close to the house and street line. This is the reason for the setbacks and variances he is presenting to the board.

1. Distance to street line - A reduction from 10 ft to 8 ft.

2. Reduction of septic tank to foundation from 10 ft to 6 ft (Due to a large tree the owner did not wish to remove) Set back waiver will allow system to be built in location needed.

Luke Roy Opens his plan up for questions from the board.

Dr. Iocco Asks if barriers will be installed between tank and foundation - Leaching field soil absorption.

Luke Roy Responds by explaining that barriers are not on the actual plan presented here tonight, but were discussed with Leo Cormier, and will be suggested to the contractor.

Leo Cormier Mentions that he did not notice at first, with spacing issues that barriers were needed-but thinks now that they are.

Dr Iocco Suggests that the barriers would make him more comfortable in making his decision. Also, has the town engineer been consulted because this is a set back from the street.

Luke Roy Doesn't think so. In this case, there's an existing paved sidewalk up to the property line. Excavation was planned to not disturb the sidewalk.

Leo Cormier Explains that the existing system is below grade or below street level, so this should not be a problem or no threat of overflow onto street or sidewalk.

Dr. McCausland Brings up space issue in back of property and asks how and if old system will be removed.

Luke Roy Answers that he is calling for old system to be pumped and filled-in accordance with Title V regulations for abandonment or filling older systems. Perhaps installer can use a bob cat or smaller machinery to shuttle material back and forth filling and removing.

Dr. Iocco Says he is prepared to make a motion if there are no further questions for all waivers/setbacks relating to 11 Witham St.

Dr Iocco: Calls for a motion:

1st Motion: Reduction of the setback distance from street line to the SAS from 10ft to 8ft.

Dr. McCausland Seconds the motion

All members are in favor by stating "Aye" Motion passes unanimously

Dr. Iocco opens a second motion:

2nd Motion: Reduction of 20 ft for 12 ft - system to foundation with the installation of a barrier-

Dr. McCausland Seconds the motion

All members are in favor by stating "Aye" Motion passes unanimously

405 Main Street.

Luke Roy presents summary: This is a replacement design for an existing system of a 3-bedroom home, the existing system has failed. Replacement is needed. Home currently under construction- Test pits were done in the rear yard. System will be kept close to the east end of the property in the back where there is an existing shed that will be removed. The main issue is environmental. Beaver dam brook. The plan is made to keep as far away from brook as possible. At the back east end location of yard – 10 ft from front of property line, and 10 ft from back line. Beaver Dam Brook is a tributary with an existing 200 ft requirement. Requesting waiver from 200 ft to 100 ft for system. Soil absorption from 200 ft to 148 ft for system replacement. Reductions are less than 200 ft but are not less than 100 ft. Plan was done with keeping system as far from brook as possible. There is a request for a 3rd waiver for a test pit to be done.

Luke Roy Opens his plans for questions from the board:

Dr. Iocco Asks if the bedroom count for this home will be increasing with new construction.

Luke Roy Replies it will not.

Leo Cormier States that the dam flows into a brook on Walnut St., which is the water supply for Lynn.

Dr. Iocco Replies that Lynn Water Supply will have to be notified.

Luke Roy Agrees that this would be an issue for the Lynn water Superintendent at Lynn water supply.

Leo Cormier Decides he needs to contact Lynn Water Supply to give them notice. Asks Luke Roy about a MassDEP filing.

Luke Roy In this case, MassDEP does not have to be notified.

Dr. Iocco Says he is Ok with this, and mentions the other 2 test pits being more technical, and asks Leo Cormier for his input.

Leo Cormier Answers by mentioning a discrepancy regarding the test pit holes and Andrew Roy's notes. The soil on this property has no issues, so he isn't concerned about the soil logs.

Dr. McCausland States that assuming there's no issues with Lynn Water Supply, she is fine with everything.

Dr. Iocco: calls for a Motion

1st Motion - To reduce setback from a tributary, a public water supply, to a soil absorption system from 200ft to 148ft., and the septic tank from 200ft to 145ft., pending approval from the Lynn Water Commissioner.

Dr. McCausland Seconds the motion.

All members are in favor by stating "Aye" Motion passes unanimously

Dr. Iocco Presents the next motion.

2nd Motion - to approve waiver request for 2 deep holes in disposal area pre regulations.

Dr. McCausland Seconds the motion.

All members are in favor by stating "Aye" Motion passes unanimously

(4) 3 Dale Rd. and 45 Lakeview Ave

Leo Cormier States that these projects have been submitted to Claire Golden at MassDEP and both were approved on January 21, 2021.

Dr. Iocco Asks about the setback footages on 3 Dale Rd and 45 Lakeview

Leo Cormier Answers: 75 ft for Lakeview , 56 ft for 3 Dale Rd.

Invoices and New Business / Other Business

Leo Cormier Presents recent complaint to the BOH regarding chickens. After an inspection and a visit with the owner-The complaint turned out to be invalid. However, chicken owner did not have a permit and a permit application was sent out to him the following day.

Bob Curtain Cautions the BOH not to spend too much time on New Business topics. Just keep things on radar. There could be complaints that the public was not properly notified.

Dr. Iocco would like to close tonight's meeting, but would like to schedule the next one on April 15th if this works for everyone else.

A date of April 15, 2021 has been chosen unanimously.

Dr. Iocco calls to Adjourn the Meeting. BOH meeting of March 18, 2021 is adjourned at 6:45 PM.

Attachments:

- Packet BOH 031821 Meeting

Minutes of Regular Session

Lynnfield Board of Health

Thursday, February 25, 2021

Present:

Dr. Rocco Iocco, DMD, Chair

Dr. Gail Link McCausland, DMD, Vice Chair

Dr. Gary Mendese, MD

Leo Cormier, Acting Director, Health department

Joseph O'Callaghan, Building department

Maria Welsh, Recording Clerk

Attendees:

Glen Davis – Director of Lynnfield Emergency Management

Bob Curtain – Assistant Town Manager

Jim Kavanaugh – Engineer, 880 Summer St.

Chris Zheng – Oki Poke Restaurant

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Dr. Iocco calls meeting to order-5:31PM

Agenda Item #2 Review and approval of Meeting notes from January, 28, 2021

Both Dr. Iocco and Dr. McCausland approve meeting notes. Motion is made to approve January 28, 2021 meeting notes.

Agenda Item #3 – Covid 19 updates

Dr Iocco introduces Glen Davis of the Emergency Management Team for COVID -19 updates including vaccine information.

Glen Davis – Begins with a brief recap of Covid statistics in Lynnfield and Massachusetts.

1. Overall 1006 confirmed cases in Lynnfield.
2. 29 deaths
3. Numbers are trending downward within the state of Massachusetts, and the town of Lynnfield.
4. Within the last 14 days 46 cases.
5. Last 7 days 25 positive cases.

Lynnfield is headed in a good direction as well as the state.

Getting vaccinations at the local level is a challenge. The state is trying to channel vaccinations to state sites. All of Lynnfield's first responders have received their 2nd doses of vaccinations and 100% of Fire Fighters have been fully vaccinated.

Clinics: First clinic for 75+ done on 2/13/2021. This group is scheduled to receive 2nd dose on March 13th, at the middle school.

65+ 100 doses were received, with 20 doses left over from previous clinic. 120 doses and appointments were available with a link to register. All 120 slots were filled in 5 minutes.

Massachusetts guarantees that 2nd doses will be sent for this group. 300 doses will be distributed at the federal level for Lynnfield's senior housing. Residents of Ross Drive, Center Village, Essex Village and Colonial Village will be covered within this distribution.

Lynnfield may continue to receive 100 doses/week – but the state will be sub diverting doses to MA. State sites.

Leo Cormier : Asks about an accompanying person receiving a free vaccine and will this be in place at the up-coming Lynnfield clinic.

Glen Davis: Explains that there will not be enough doses to provide vaccinations to accompanying members. More prudent to get Lynnfield's seniors vaccinated first.

Dr. McCausland: Thanks Glen Davis for his work and contributions during this pandemic, and getting seniors vaccinated first. She then asks about the 1st clinic for seniors that had no waiting list and was the total correct.

Glen Davis: Confirms. 90 slots available and only 85 slots were filled. Through community outreach, we were able to affirm that most had already received 1st vaccinations somewhere else with the help of neighbors, friends and family.

Dr. McCausland: Mentions that the media is pushing people to bigger state sites – Residents who could get to these sites did, and the over 65 population in town is a big segment. The bigger sites fill up fast too. Also, wonders if the 65+ group will take up the most slots at the upcoming clinic, or the 18+ with 2 or more comorbidities. Also, will the 300 doses be used at all 3 Lynnfield sites?

Glen Davis: Plans to start with Senior housing facilities 1st. any remaining doses will be turned over to the public clinic at the middle school. This insures vaccines will not be wasted.

Dr. Iocco: Questions which vaccine Lynnfield will be getting; Pfizer, Moderna or J&J (Johnson and Johnson) or a combination, and are there any storage issues. What happens if there are extra doses? Are you putting names on a list?

Glen Davis: A backlist is always maintained to make sure not a single dose gets wasted in Lynnfield. Storage isn't a problem. Town has authorized board of health refrigeration with data loggers that measure the cold change between storage to clinics. Coolers are at clinics with temp. loggers to monitor no drops in temps. Up to now there have been zero wasted. Predominately it has been the Moderna vaccine. Do not have the capability to store the Pfizer at its artic temp. point. J&J has been approved, and will be ready to distribute as soon as it is approved through FDA. This is the one dose and will be easier deployment at the local level.

Dr Iocco: Thanks Glen Davis for all that he's doing and setting in motion another solid plan for Lynnfield's senior citizens.

Agenda item #4 880 Summer Street:

Dr. Iocco: Presents information / subject for 880 Summer St. which is a request for 2 setbacks to the property. Calls on Jim Kavanaugh to explain what was done and how this issue was resolved.

Jim Kavanaugh: Opens his remarks by stating that the town engineer had 1 remark concerning the installation of a barrier to the catch basin in the street. The town engineer was OK with the 5 FT setback from the street to the foundation of the house. The barrier was his only request. Barrier has been installed and new plans will be drawn up showing the 2 adjustments:

1. Set back to catch basin.
2. Set back to the foundation with the installation of a barrier and an as built inspection be performed and submitted following up new system.

Dr. Iocco: Calls to make motion to approve both variances since everything has been done and the town engineer also approves:

All members voted in favor: Motion is approved.

Agenda Item #5 – Oki Poke Restaurant – Public Hearing

Chris Zheng Is introduced. He is the owner of the Oki Poke restaurant which will be located at Lynnfield Market Place.

He will be explaining his plans for safely storing Sushi rice and the origin of where the fish is raised that he will be serving as Sushi.

Chris Zheng: Opens with an explanation that his restaurant will be Japanese/Hawaiian style of cooking, serving salad, rice bowls and Sushi. The fish sources are all farm raised in open ocean net pens, and the rice storage is done by combined methods of controlling bacteria growth – Controlling and containing the PH levels at the regulated 4.1 % to 4.3%. Sushi rice is maintained at room temperature and Chris uses a rice vinegar solution to contain all PH levels below 4.6 % which slows the growth of bacteria. Leftover rice mostly gets discarded or maintained by refrigeration- with temps below 41 degrees.

Dr. Iocco: Asks Chris if he needs a variance for this process for rice, and Chris answers yes.

Dr. Iocco: Addresses Leo Cormier for input on this type of variance and if the process is standard throughout the industry.

Leo Cormier: Explains that this is a relatively new variance. All questions have been answered- maintaining fish in a safe environment (Not open ocean – but farmed) and a plan for storing rice at room temp.

Dr. Iocco: Asks if Mr. Zheng measures the PH levels himself with the rice.

Chris Zheng: Proceeds to go through amounts and calculations for storing safe, bacteria free room temperature rice. Documentation is kept in the kitchen after multiple checks throughout the day. He also sends rice to a rice lab, a must to keep it maintained at the 4.1% perfect range.

Leo Cormier: Asks how frequently does the Sushi rice get sent to the lab for this testing.

Chris Zheng: Answers that it is sent once a year. Each batch of rise gets tested and PH levels are documented.

Joe O'Callaghan: Comments that he did research and not all towns require Sushi restaurants to go through board of health hearings if guidelines are being met, and the food health inspector has approved.

Chris Zheng: Explains that he has been put way behind in opening due to pandemic, and has plans to open the beginning of April. This will be Chris' 3rd location.

Leo Cormier: Mentions that the Oki Poke was inspected Feb. 1st, 2021 by the Lynnfield food health inspector, Deborah Rosati. A copy was given to the restaurant.

Dr. Iocco: Asks if the report is included in the meeting packet.

Maria Welsh: Agrees to submit detailed report to BOH members, regarding the food health inspector's notes and details.

Dr. Iocco: States that he has no objections based on source of fish, refrigeration, plan for keeping room temp Sushi rice – And makes it clear that a full walk through and food inspection will be done before restaurant opens, and all must be compliant. He would then happily give the board's blessing on the success of the Oki Poke restaurant. He then addresses the board for any input.

Dr. McCausland: Asks for a copy of the food health inspector's report and Maria Welsh agrees again to send report to all members of the board.

Dr. Iocco: Also requests a copy of inspection plan, and announces that he is ready to take a formal vote tonight if that is what is required.

Leo Cormier: Mentions that there will be a month hold up if this is not voted on during tonight's meeting.

Dr. McCausland: Asks if BOH is voting on just the variance.

Dr. Iocco: Requests to know specifically what the variance would be.

Chris Zheng: Replies that it would be for the keeping and storing of Sushi rice.

Dr. Iocco: Asks if someone would like to make a motion.

Dr. McCausland: Says she is not sure about the correct wording of the variance and assumes it is for the Sushi rice to not be kept at room temp, but that it be kept at a precise acidic PH level as an alternative.

Dr. Iocco: Calls for a vote. Asks if all board members are in favor. All members are in favor.

*A variance is granted. The Board wishes Chris Zheng good luck with his new restaurant, opening at 1205 Market Street.

Bob Curtain: Reminds Chris Zheng that he will need a common victual license from the board of selectmen and that he will be in touch to send Chris the appropriate paperwork.

Leo Cormier: Asks about quantity of seating in restaurant.

Chris Zheng: 25.

Agenda Item #6 – Retention of Public Health Records

Dr Iocco: Asks about this topic and who would like to explain it.

Leo Cormier: Begins with the file cabinets in the BOH office being very full and wants to know how long to keep files and records. He goes on to explain that he called the state dept. of public health, and the Division of Food Inspections about a time limit for keeping inspection records. The answer he received was the BOH should decide. Explains that the older inspections are never looked at and recommends keeping records for 3-7 years.

Dr. Iocco: Expresses concern if records are discarded and suggests town council look at this. Particularly due to lawsuits that may come up – even after restaurant may be closed. Asks if any old records get scanned.

Dr. McCausland: Suggests scanning old documents. There are no worries since the cloud provides endless amounts of storage electronically. Also, maybe the food health inspector could be able to upload her reports to a designated file going forward. She also would like a weigh in from town council.

Maria Welsh: Replies that she can certainly ask her.

Dr. McCausland: Asks how far the current inspection records go back.

Maria Welsh: Maybe 20 yrs.

Dr. McCausland: Explains that if a decision was made for a timeline; 5-7 years would eliminate bulked up files and make it more manageable.

Leo Cormier: Believes that would eliminate about 1/3-1/2 of the problem.

Bob Curtain: States that if the issue is having space in the physical file cabinet, asks if records from restaurants that have closed are still being stored.

Maria Welsh: Yes.

Bob Curtain: Suggests taking out records of restaurants that have closed. This could solve the problem in the interim. Remove the ones that are not in operation and archive them within the town hall. Restaurants that closed due to Covid-19 are different. Take out files from restaurants that are no longer in operation.

Dr. McCausland: Mentions that if there were any fire or water damage those files would be better off being scanned electronically. More reliable and safe.

Leo Cormier: Asks if town hall will be having a town meeting about budgets.

Bob Curtain: Said that overcrowded file cabinets are a broader issue across the board within the town hall. Every department has a crowding issue. He recommends waiting to transfer or move records.

Agenda Item #7 – New Business / Invoices

Dr Iocco: Asks if there is anything new to talk about.

Leo Cormier: Says there is nothing he can think of, just the waivers and setbacks waiting for MA DEP approval. There are 2 cases pending. 4 Dale Rd. and 45 Lakeview.

Dr. Iocco: Asks Bob Curtain if he had the opportunity to collect structured information regarding how other boards of health conduct meetings. He suggests that Leo might simply approve some things that do not need to be presented before the board.

Bob Curtain: Answers by stating that he tried to ask questions but did not have the correct wording; making his efforts confusing to others. He could not be specific enough about topics regarding the BOH to get any answers. He plans on meeting with one of the people who does Lynnfield's inspections who works for another community. She is up to date on subjects pertaining to BOH meetings. Bob then asks if Chipotle has put in a plan and if the is review complete.

Maria Welsh: Answers yes, and food health inspector said it was done very well.

Bob Curtain: Asks if health department approves these administratively.

Maria Welsh: Responds Leo Cormier can review restaurant plans.

Dr. McCausland: Mentions that new restaurants come before the board. Kristin would have them in a Director's report and if a positive review was given, she'd sign off on them.

Dr. Iocco: Remembers this and mentions California Pizza kitchen's indoor/outdoor dining and kitchen logistics that needed an open-air variance. Restaurants are only seen for granting variances, but Oki Poke required a variance from us tonight.

Joe O'Callahagn: Mentions that there will be an additional new restaurant needing a variance for Sushi.

Dr. Iocco: Read that there will be 5 new restaurants opening in Lynnfield. We can only be fair as we granted Oki Poke; we must grant Sushi variance to this new restaurant as well.

Leo Cormier: Said he would rely on the food health inspector's approval for various new restaurants; her reports are very conclusive.

Dr Iocco: Asks what's going on with the schools and are they complying within operational guidelines.

Maria Welsh: States that they have had their applications renewed to serve food and does not know if they have all been inspected.

Dr. McCausland: Brings up Lynnfield's churches being inspected. Assumes with Covid-19 no events are taking place.

Leo Cormier: States it depends on what churches do for activities. Calvary Church was doing activities, and he had to go there. Also, doing food pantries.

Dr. McCausland: Mentions asking the food health inspector about Calvary Church and their food related activities.

Dr. Iocco: Ends by asking if there is anything else to address. He would like to close the meeting but first decide a date on the next meeting in March.

All members agree to schedule next BOH meeting for March 18th, 2021.

Dr. Iocco makes a motion to adjourn meeting at 6:23PM.

All members vote in favor of closing the meeting.

Meeting is adjourned.

Attachments:

- Packet BOH 022521 Meeting

- 880 Summer Street - Supporting information

- Oki Poke - Supporting information

- Minutes of Thursday January 28, 2021

Jan 28, 2021

Present:

Dr. Rocco Iocco, DMD, Chair

Dr. Gail Link McCausland, DMD, Vice Chair

Leo Cormier, Acting Director, Health department

Joseph O'Callaghan, Building department

Maria Welsh, Recording Clerk

Attendees:

Jon Whyman

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.

Dr. Iocco calls meeting to order-5:36PM

Item Review: Meeting notes from January, 21, 2021 – Both Dr. Iocco and Dr. McCausland approve meeting notes. Motion is made to approve January 21, 2021 meeting notes.

Dr Iocco introduces Glen Davis of the Emergency Management Team for COVID -19 updates including vaccine distribution for Lynnfield residents.

Glen Davis: Presents update on COVID-19 statistics of town.

- YTD – Lynnfield has had a total of 898 positive cases
- Over the last 14 days 88 positive cases
- Last 7 days (inaudible audio).

Town is on a downward trend, averaging less than 10 cases in 7 days.

Statewide COVID numbers continue to climb. Hospitalizations statewide under 2K within the past four days which is good.

Vaccine update: Lynnfield has procured vaccines approx. 2 weeks ago and has vaccinated Lynnfield's first responders; fire fighters, police, dispatchers and school nurses. First doses were given on Jan. 14, 2021 and we are in process of securing 2nd dose for these groups.

Supply of vaccine is the bigger issue. There is plenty of capacity vs. vaccine amounts. Andover has been great. This is where doses for first responders came from, through Andover health dept. All communities are now working together. Larger clinics had to cut appointment times due to low supply deliveries. The last two weeks, local board of health offices were limited to 100 doses – With thousands of seniors, at only 100 vaccines at a time, will take a while to get every senior vaccinated. Encouraging all to not wait for Lynnfield to standup a clinic – guiding people to state websites – www.MASS.Gov, then navigate to vaccine center nearest to them. As of Monday, Feb. 1st, those 75 or older will be eligible for vaccinations and all sites will be up and running, and are taking appointments as of today. People are struggling with the web sites. The Double Tree hotel in Danvers added ~4K available appointment times next week. Working with senior leaders – Senior center and town – working on plan, how to help seniors with computer access. This is where it becomes important to get doses - and to activate local clinics.

If we get massive doses of the vaccines, a center can be set up at the high school; with only 100 doses per week, we may be able to set up smaller point of access clinics:

- The community center
- Ross Drive
- Drive through clinics at senior center.

Plans are laid out and ready to go, we're just waiting on distribution of vaccines from state and federal governments.

Leo Cormier: Last meeting 2 pharmacies in Peabody were doing vaccines – Were they at CVS?

Glen Davis: Not sure about Peabody, but closest one to Lynnfield is the Walgreens in Saugus, 166 Walnut Street. Also, Walgreens in Danvers, and a Stop n Shop in Woburn. Best advice to anyone is to go to MASS.Gov or the emergency mgmt. site: lynnfieldoem.org.

Glen Davis asks if there are any other questions or concerns.

Dr. Iocco Thanks Glen and mentions that he has been on these sites and appointments appear and then disappear – all based on supply. The Ferncroft site had 100 appointments yesterday, which was good to see. Concern is many residents don't want to leave Lynnfield, if we get 100 doses per week, - after three weeks – Possibly have small clinics here, which would be ideal for those who do not want to leave town.

Glen Davis: Agrees. Working with GLSS who is ready to volunteer with nurses, and bringing back the GLSS van to those already involved with the service to help those who need to get to other places for vaccinations. Also working with senior center to run a van on a limited basis, for smaller amounts of clients with several appointments per day. Preferred approach is local clinics in Lynnfield for seniors.

Dr. McCausland: Main concern is for people who are not computer literate. Not easy maneuvering through the sites. Are calls coming in from concerned seniors who feel that this is the only way for them to get somewhere?

Maria Welsh: Most of our seniors don't want to or cannot drive to the Walgreens in Saugus. They don't seem to want to leave Lynnfield.

Dr. McCausland: There is a subset of those who cannot get to places or can't get on the internet. Frustrating for all.

Maria Welsh: The websites are not easy to maneuver – especially if you're near 80 yrs. old. I found that Walgreen's website was not that easy to navigate.

Dr. McCausland: Are you keeping a list of people who are calling?

Maria Welsh: No. I have been directing them to Walgreens in Saugus -166 Walnut St.

Glen Davis: We're tracking calls too. Many calls are coming through the COVID Help Line. I was fielding calls and it was taking up most of my day. I have enlisted some help at the senior center today to help with calls - and they were fantastic. They're directing those with computer access to do that – Then those who do not are put on a list for call backs. Prioritizing these calls is happening. When we receive doses, a multi-faceted plan of attack is the plan. We don't want to lose track of those who do not have computer access, but still are reaching out. We will be doing a reverse 911 call – Also a code red hotline, for COVID and vaccine questions. I don't want to plan a clinic before we know how many vaccines we will have in place.

Bob Curtain: However, we're not making a list right now. Working with the library to help people scan and upload (information)- Also putting together a scripted COVID response for Maria to use.

Dr. McCausland: Explains how easy it was to access at Gillette stadium. They did ask for insurance card – Not positive this is mandatory everywhere. They also follow-up with email asking for insurance info.

Glen Davis: Refers to Gov. Baker stating the influx of calls from this demographic was bigger than expected – Largely concerning and a state update will be available.

Dr. Iocco: States he is pleased about COVID script for board of health phone use, and the library help as well. Asks Maria Welsh what people are calling and asking mostly about.

Maria Welsh: Where can I get a vaccine, when and how.

Bob Curtain: No one should be waiting for their local board of health for a vaccine.

Glen Davis: Double Tree Hotel in Danvers is the most likely place for seniors to procure an appointment. Lynnfield does have a plan for vaccinating seniors once the vaccine is received. Storage, temp monitoring and staffing are in place and ready to go. Ready to stand up clinics, just waiting for doses.

Rocco Iocco: Concerned about staffing; will there be enough?

Glen Davis: Plenty. All paramedics and EMT's (30) are certified and trained to be vaccinators. Also, school nurses-GLSS RN team available if needed. Lynnfield is just under the 5% for COVID infections this week putting Lynnfield in the yellow for the 1st time in a long time of red status.

Dr. Iocco – Anything else on the COVID updates and vaccinations?

Dr. McCausland: When numbers are high, any issues with contact tracing?

Glen Davis: It's been going extremely well. Toni Rebelo has been an incredible addition to the Tracing Team at schools – Access to test sites has been great for us. And Sandy Wilson has been relentless – A force to be reckoned with working 7 days/week – doing the majority of contact tracing.

Meeting moves on to discuss 45 Lakeview Drive:

Jon Whyman: updates the board regarding information on water barrier installed - Request was approved Lynn Water Dept. was happy with the upgrade to the existing system that is in the abutter's yard. Within a month or so will have comments back from the state for variance approval for setback to Pilling's Pond.

Dr Iocco: What's the footage?

Jon Whyman: 75ft to the nearest chamber of the leaching field to pond edge. This situation may happen to many properties on the pond. Jon suggests a plan to streamline this possibility.

Dr. McCausland: Asks what Jon is specifically asking from the board.

Jon Whyman: a number of setback variances on permit waiting for approval.

Dr. McCausland: We are waiting for DPH?

Jon Whyman: Yes. This is the 1st one I've had to put over to the state, due to reclassification of Pillings Pond as a tributary.

Dr. Iocco: Asks about other variances that were presented and resolved. Is this the last one?

Jon Whyman: It is. And it's holding us up.

Dr. McCausland: Recommends going through last meeting's notes. If this issue is the last, and we hear from DPH – We can move forward. Board members do not or maybe vaguely remember passing all variances, except this one. Not enough details to move ahead is determined.

Leo Cormier: Brings up 3 Dale Road:

3 Dale Road is in the same position- requiring approval from DEP – Engineer has to file paperwork to DEP – Water Dept. will ask for the approval from Lynn – then give a decision in 30 days hopefully.

Dr. Iocco: Is there a fee associated with their (Lynn Water) review?

Leo Cormier: Yes. \$335.00.

Dr. Iocco: Hopes this will all work out.

Jon Whyman: Technically, this is just a repair.

Board moves on to discuss 12 Witham Street

Jon Whyman: Begins explaining that this is for a 3ft. reduction from leaching field to the foundation of home – going to 17ft from 20ft.

Lot is an odd shape, there will be a barrier installed between the leaching field and the foundation – to accommodate the 3ft reduction.

(plot plan is shown on the screen)

Dr. Iocco: Is there a water supply issue or anything like that?

Jon Whyman: No. This is a common variance. In the old days, Leo and I would just sign off on these. I could just keep submitting them – suggests that giving Leo Cormier the authority to sign off on these types of issues would be a good idea.

Dr. Iocco: Recommends coming up with some guidelines – So things stay consistent. This issue seems simple and would have no problem granting a variance like this.

Dr. McCausland: Getting bogged down in endless details at board of health meetings can lead to getting lost in the details and missing big picture. Being able to delegate things would be great, however the board should provide guidance for consistency.

Dr. Iocco: Makes motion to allow the variance from required 20 ft to the 17 ft.

Dr. McCausland: Seconds the motion.

Leo Cormier: Another case like this is coming up in February. 5ft to street instead of 10ft – and 10ft to the foundation instead of 20ft. A barrier was installed between the house and the system, concerned about a catch basin in the street. DPW was notified and had no problem with a 5ft off-set to catch basin. Again, this is a future issue for the board to be addressed.

Dr Iocco: We should probably try to have these meetings once a month. Proposes a meeting date of February 25th 2021.

Bob Curtain: Asks if he should survey other boards – and see what has to be brought before the board in a septic meeting and what doesn't.

Drs Iocco and McCausland are both pleased with Bob's suggestion, which saves leg work and diminishes the guess work.

Joe O'Callaghan: Asks about variances for restaurants to be heard as there is a new sushi restaurant coming to Market Place.

Dr. McCausland: Asks Leo Cormier if he would know – Is there an application to fill out? Is this correct? The issue is about the sushi – But also something to do with the rice.

Dr. Iocco: When do they plan on opening?

Leo Cormier: We had the plan submitted 2 weeks ago; I don't know if there is a timeline for approval for food service. I am sure our own food health inspector can and will handle any issues.

Dr. Iocco makes a motion to adjourn meeting at 6:10PM.

All in favor:

Dr. Iocco: Aye

Dr. McCausland: Aye

Drs. Iocco and McCausland thank all for holding down the fort, keeping the board of health up and running.

Attachments:

- Minutes of Thursday January 21, 2021

Present:

Dr. Rocco Iocco, DMD, Chair

Dr. Gail Link McCausland, DMD, Vice Chair

Leo Cormier, Health department

Joseph O'Callaghan, Building Department

Maria Welsh, Recording Clerk

Attendees:

Luke Roy

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

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1st Agenda item - Regular Meeting of the Board of Health Call to Order

5:38 January 21, the Regular Meeting of the Board of Health was Called to Order by Dr. Iocco. [REDACTED]

2nd agenda item Minutes from November 11th, 2020

Vote to approve minutes from November 11th 2020 meeting

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

Dr. McCausland seconds the motion to accept as written

Approval by unanimous Vote: 2:0 Roll Call Vote

Dr. Iocco asked Bob Curtain to provide the COVID update.

Skip to the 5th agenda item - COVID-19 Updates - while waiting for Leo Cormier to arrive

5th agenda item - COVID-19 Updates

Bob Curtain provided the COVID update:

Last Thursday (1/14) we held a vaccination clinic at the High School Band room for the 1st responders of Lynnfield, it was a very well-run event and much appreciated

We requested 72 doses and 68 appointments were scheduled

The vast majority of our First Responders were willing to participate and did get the vaccine but Bob was unsure at this time if the full 68 attended and got the vaccine

The roll out of the vaccine has been a real problem but it's ramping up and hopefully will continue to do so.

The number of cases seen in Lynnfield has been slightly decreasing in the last couple weeks along with the positivity rate.

The just received positivity rate from the state was 5.2%.

A positivity rate of under 5% would move Lynnfield to the yellow category.

We will remain in the red category next week but if the trend continues in this direction, we will soon be in the Yellow category.

The previous week we had 6.45% the week before that 7.0%, 7.76%, 9.0% and 9.16% so we've been declining every week since thanksgiving – very good news.

Unfortunately, the total positive cases are 814, there have been 47 new cases in the last 7 days and 101 in the last 14 with total positive addresses of 484

DPH announced some new advice for its COVID restrictions today (1/22) The stay-at-home advisory for night hours has been repealed.

The closing time of 9:30 p.m. for restaurants and other business has also been repealed.

The 25% occupancy restriction remains in place until 5 a.m. on February 8th.

Until February 8th indoor gatherings will still be limited to 10 people, outdoor gatherings to 25 people.

Sandy Wilson and Toni Rebelo have been handling the Maven system and according to the emergency management team there have been no recent reports of major events or gatherings that have caused an increase in cases.

Most reports have been inter-family transmissions or small cases of people getting it from their workplace or someone they know.

There have been no so-called super spreader events.

All the First Responders who wanted the vaccine got the vaccine.

This week the state announced that home-based healthcare workers and healthcare workers doing non-COVID patient care including office staff will be eligible to get vaccinated at locations that are open to provide those vaccinations.

We are hearing information as it is announced, trying to keep up as best as possible.

Local vaccination places include a Pediatric Healthcare office in Peabody, pharmacies in Danvers, Salem and Saugus.

There have been state level discussions on large-scale state-run vaccination centers talking about Fenway Park. They started by doing about 300 per day hoping to ramp up quickly.

There has also been talk of a large-scale center on the Northshore but nothing official released yet.

If people are eligible for the vaccine, they don't need to check in with us, the state is handling that and state providers.

We have been getting a number of inquiries for people who want to get on a list or want to know when they will be eligible.

We have been informing them that we don't know, but we did post on the town's Facebook page and on the Emergency Management page an FAQ regarding COVID vaccinations which hopefully will help in providing all the links for the state resources.

Our FAQ was leveraged from the Peabody FAQ.

We want to make sure people don't think we are holding and not giving out vaccine, we don't have it. We are awaiting information from the State.

Emergency management director Glen Davis is working with the Andover regional health collaborative that Lynnfield is a part of. He is keeping up with the role of the local health department as far as vaccine distribution.

Dr. Iocco asked if the exact number of doses delivered at the first responder event was known. Bob said that he would get that number to Dr. Iocco by email.

Dr. Iocco asked if Glen Davis was planning a second event for first responders that did not or could not attend the first one.

Bob Curtain said that information was not known but he would check.

Dr. Iocco said that two fines had gone out to two households as a result of events that were considered super spreader or they exceeded maximum number of individuals at the gathering.

Bob Curtain said that he was aware of one and that a court date had been set for February, the notice was just received from the court he will be discussing with Tom Mullen tomorrow who will handle that and will keep Dr. Iocco advised.

Dr. Iocco asked if it is beyond just sending them a letter and a fine, that a court appearance has to happen?

Bob Curtain clarified that perhaps they can just pay it but if there is an appeal to it, we would have to go to court.

Dr. Iocco asked if anyone has any comments or questions regarding the COVID report

Leo Cormier joined the meeting

3rd agenda item - Leo Cormier – Nomination for acting director of health department

Dr. McCausland seconded the motion, also thanked Leo and cited the help that Leo had provided in numerous ways. Dr. McCausland said that we are grateful that he can step up now and that she fully supports the motion.

Dr. Iocco Y

Dr. Mendes Y

Leo Cormier asked, citing his past experience with Middleton where he served as agent for 33 years, to be allowed approve simple design plans that are variances to Title V. Would like to be able to approve plans that are too close to the foundation or to the lot line without hearing before the board.

Leo Cormier confirmed.

Leo Cormier acknowledged and said that the cases he has in mind will then be talked about at the next meeting.

Dr. Iocco said we can schedule another meeting to be expeditious and prevent the projects from being held up. We can't cover them tonight because they didn't meet the posting deadline.

4th agenda item - 3 Dale Road – Public hearing for Baud Family Trust, 3 Dale Rd. Septic system to be located 56 feet from Beaverdam Brook a tributary to Lynn water supply

5

The topic is a septic replacement design for 3 Dale Road. An existing single-family dwelling, 3-bedroom design.

Dr McCausland asked if the current system is failed

Luke Roy confirmed that the system is failed, breaking out at the ground surface.

The replacement has been designed in a similar location at the rear of the house with no expansion. He had looked for other suitable areas on the property and found none. Have kept it as far from Beaver Dam Brook (along westerly property line) as possible but they are 56 feet from the bank at the closest point.

Beaver Dam Brook is a tributary to a water supply according to the state therefore requires a 200-foot setback to comply to Title V

He was here tonight before the board to request a variance for the distance of 56 feet from the brook reduced from 200 feet.

Plan has been shared with the water supply of Lynn they are approving of the plan with the comment that some form of protection should be added to the brook side of the plan. We have added as a result a 40-mil impervious barrier along the downgrade or brook side of the plan.

The design is Title V compliant aside from the variance requested. It is an environmental improvement replacing a failed substandard system in a similar location as far as proximity to the brook, compared to what is currently there.

Dr. McCausland asked Leo Cormier for his thoughts.

Leo Cormier said that this is a design that will improve the whole situation. With the barrier between the system and the stream, any waste that might go that way will be stopped.

Dr. McCausland asked if the town has documentation regarding the comments provided by the town of Lynn.

Leo Cormier stated that he also had a conversation with the director of the Lynn Water Department and was told the same detail as Luke Roy presented, does not know of any document created but is sure one could be.

Dr. McCausland recommended that Leo put a record of his comments in the property file to ensure they are stated/captured somewhere.

Dr. McCausland asked if Dale Rd. is in ground water protection.

Luke Roy replied that he doesn't believe it is, it is in the opposite side of where the zone is.

Dr. Iocco asked if Mr. Roy had consulted DEP on this matter, concerned that this type of issue has come up several times and at the local level we cannot grant a variance for less than 100. This needs to go to DEP for their approval.

Luke Roy acknowledged that it can't be approved at the local upgrade approval level, that allows for only to 100 feet but they are looking at it as a straight variance and have requested it that way. Not aware that DEP needs to be involved in a variance request for a septic repair like this.

Leo Cormier stated that he believes that if the board approves this then the documentation gets

sent to the state.

Dr. Iocco asked if then the state would then simply approve based on the local approval?

Leo Cormier went on to say that this is simply an improvement to something that is in trouble right now. If we were to not approve anything it would be a liability for the community. The only other approach would be a tight tank. That is not necessarily a viable option.

Dr. McCausland asked if we are looking at maximum feasibility with the limited options available.

Leo Cormier confirmed/acknowledged.

Dr. Iocco asked if there would be a consideration of any alternate technology so that you could reduce the leeching field area? Obviously, you will always be within the 200 from Beaver Dam Brook but perhaps you could be over 100 if some alternate technology is used.

Luke Roy stated that unfortunately it is impossible to site a system outside the 100 foot line with the property size and the line setback.

Dr. Iocco asked if this is the original system that is being replaced.

Luke Roy said he believes it is.

Leo Cormier said the assessors has the original date as built in the 1950s or earlier.

Dr. Iocco said that it is certainly an improvement, the system is failing, but he would like to see some clarification to the board from the DEP. Cited the ambiguity of the section of the code and feels that DEP is trying to get out of granting variances and is putting stuff on the local boards. But also feel that they don't want the local boards to approve anything within the 100 feet. This also echoes some of the guidance from the previous health director. Not sure if prepared to vote or approve without further clarification from the DEP.

Leo offered to call Claire Golden of the DEP to get clarification.

Dr. Iocco said that if Claire approves it in a letter or an email then we do not have to come back to this.

Leo understands, that approval is contingent upon DEP input.

Dr. McCausland said that it is really making sure that the board has the authority to approve this.

Dr. Iocco asked for a motion

Dr. McCausland made a motion for 3 Dale, that the board approves the variance for 56 feet from 200 feet from Beaver Brook Dam with the approval from DEP.

Dr. Iocco seconded the motion

Dr. Iocco Y

Dr. McCausland Y

Approval unanimous Vote: 2:0 Roll Call Vote

6th agenda item - Other business

Dr. Iocco mentioned the two other topics that we will discuss at the next meeting

There is no Health Directors report tonight

Invoices have been sent to him by email and signed as per usual with the exception of Payroll which he can maybe discuss with the town administrator.

Asked if there are any additional issues and if not to adjourn.

Leo asked for a proposal of the date for the next meeting

A decision was made to hold the next meeting on January 28th to avoid going past date requirements for cases that are on hand.

All board members agreed that they are available

Dr. Iocco moved to set the next meeting for Th. January 28th at 5:30

Bob Curtain stated that a motion is not needed, the meeting can just be set.

7th agenda Item - Adjourn meeting

Dr. Iocco motioned to close the meeting at approximately 6:15.

Dr. McCausland seconded the motion.

Meeting Adjourned - 6:15 PM

Attachments:

- Minutes of Thursday November 11, 2020
- Public hearing for Baud Family Trust, 3 Dale Rd. Septic Repair, Variance request