

Lincoln Board of Health
Virtual Meeting Minutes
Wednesday, March 17, 2021

Members Presents: Frederick Mansfield, MD
Steven Kanner, MD
Patricia Miller

Others Present: Trish McGean, Town Nurse; Stan Sosnicki, Health Agent; Elaine Carroll, Adm. Assistant

The meeting was called to order at 7:30 p.m. The next meeting will be on April 14, 2021 at 7:30 p.m.

Update from Trish McGean:

Trish said Lincoln has 162 cases and is definitely slowing down. We added one case today and one is in active isolation. Lincoln has had 3 very successful vaccine clinics. 100 first doses were administered on Feb. 11 and March 4 and 100 second doses on March 11. The next second dose will be done on April 1 and we have been told we will receive the 100 doses for that. We are in the process of working with 8 other towns to send a proposal to DPH to regionalize and set up a vaccination clinic at the Concord-Carlisle High School where they have the structure set up for a drive thru and the old K-Mart building in Acton, which will be an indoor clinic. So the towns are involved in emergency planning to put this proposal together to send to DPH and we have a 50-50 shot at getting it. They would want us to do 750 a day for 5 days a week and we would split the duties with the 5 towns. From other towns that have done regional clinics, she is told it is most likely we would do about 1000 doses a week not the 750 a day, which sounds more manageable. She believes the proposal is being sent to DPH on Monday by Heidi from Bedford and then it is just sit and wait. Our public health team has been rock stars and we have had a ton of fun putting these clinics together. We have had so much positive feedback from residents because the Town is providing this service. Patricia said Trish has been doing a lot of home visits and giving out vaccines to the homebound residents and she deserves our huge appreciation for all of her efforts.

Septic Reviews:

73 Old County Road: The petitioner is asking the Board to grant 1 local upgrade approval from local regulations as follows:

- (1) 310 CMR 15.495 (g) to allow the septic tank and absorption system to be less than 400' from a surface water supply as required under 310 CMR 15.211.**

Molly Obendorf from Stamski & McNary said she is working with Janna Hadley the owner. Basically the entire lot is within 400 feet of the Cambridge Reservoir with several outcrops of ledge. The system is original to the house and the owner wants to get ahead and repair it now. This will be a Presby system, which is an enhanced system and will not be increased. Ms. Obendorf said the plan had been submitted to Stan for comments and they have revised the plan. She has also reached out to Cambridge Water Department for comment and they just want to make sure the system is water tight, which it is. The new system is also further away from the reservoir. Stan said this is the only place for the system to go. If you go further up, you will hit ledge and this is the best we can come up with. Patricia Miller said she knows the property because it is around the corner from her property and has no problem with it. They are doing the best they can. Patricia Miller made a motion to approve the local upgrade as discussed. Steven Kanner seconded the motion. Roll Call Vote: Patricia Miller-aye; Steven Kanner-aye; Fred Mansfield-aye

99 Winter Street: The petitioner is asking the Board to grant 4 upgrade approvals from State and local regulations as follows:

- (1) 310 CMR 15.211(1) to allow the leaching field 7' from the property line when 10' is required.**
- (2) 310 CMR 15.495 (g) to allow the septic tank and absorption system to be less than 400' from a surface water supply as required under 310 CMR 15.211.**
- (3) 310 CMR 15.221(7) to allow the leach area to be 4' below grade instead of the required 3'.**
- (4) Lincoln Board of Health Regulation to maintain a 100' separation between the leaching system and wetlands and a 50' separation for the septic tank.**

Mike Sullivan of Sullivan, Connors & Associates representing the owner Elisa Fredrickson, said the property has a number of limitations. The rear of the property is in wetlands and a tributary to a stream and the left side of the property is ledge, which means the only place you can put the new system is where the existing one is. The existing system is under the driveway as the new one will be with a 900 sq. ft. leach bed. Because of a retaining wall holding back soil, the system will be 7 feet from the property line instead of 10 feet. Mr. Manos, the abutter at 1 Forester Road, sent a letter saying he has no problem with the location of the system. The septic tank will be 104 feet and the leaching field will be 116 feet from a Tributary with 200' required. To accommodate the 3 foot below grade requirement for the leaching field would require a pump and break out would be a problem. The septic tank and leach field will be less than 100 ft. from a bordered vegetated wetland that borders a tributary. The septic tank will be 41 ft. and the leach field will be 51.5 ft. Because of the limitations, it is impossible to maintain a 100 ft. separation between the leach bed and septic tank to wetlands. The septic tank will be 40 ft. and the leach field will be 52 ft. away. Although this does not satisfy the local bylaw, Title V requirements of 50 ft. and 25 ft. are satisfied. There is no way around these problems. This is a failed system with no increase in bedroom size. Ms. Fredrickson said the original system was installed in 1948 and when she bought the house in 1993, it passed Title V. Stan said there is no other place to put the system. The wall is significant so we need to stay away from it, which means making it closer to the property line. Patricia Miller made a motion to approve the variances as discussed. Steven Kanner seconded the motion. Roll Call Vote: Patricia Miller-aye; Steven Kanner-aye; Fred Mansfield-aye

115 Trapelo Road – The petitioner is asking the Board to grant 1 variance from Title V as follows:

(1) 310 CMR 15: State Environmental Code, Title V 15.211 (5) to locate a system component or any part thereof beyond a property line of the facility.

Dan Carr of Stamski & McNary representing the owner, Brian Byrne, said the new system is to replace a failed system. There is a vacant lot next door which Mr. Byrne owns. The failed system is in the back of the house. The variance is to build the leach field not where the remaining system is. Both of these lots do not have the required width and cannot be separated. The Conservation Commission has approved the placement of the system. The lots are divided by a property line but owned by the same person and he knows there is no way to separate them. Putting the leach field on the other lot keeps it over 100 feet from the wetlands. The distance from the tank to the leach field is 209 ft. and slightly up hill, which means pumping about a 1% slope. Stan said this is the best choice they have and they can meet all the other requirements for the system but had to cross the property line to find a dry spot for the leach field. DEP requires the owner to go before the Board for this variance because they crossed that property line. It is up to the Board's discretion to accept it as is because it is in common ownership or require an easement. Steven Kanner made a motion to approve the variance as discussed. Patricia Miller seconded the motion. Roll Call Vote: Patricia Miller-aye; Steven Kanner-aye; Fred Mansfield-aye

Mosquito Discussion:

Buzz Constable, Michele Grzenda, Geoff McGean and Michelle Barnes came before the Board to discuss the need for mosquito education. Buzz said Michelle Barnes has done a great job of setting up this group of the Land Trust, Agricultural Commission and Conservation Commission. We met with you about a year ago about concerns we had both about a good education program on mosquitoes to reduce the need to do anything drastic if there were a mosquito-borne disease outbreak in Lincoln and second to make sure we have a process in place so that everyone could be informed about it. Fortunately we did not have a problem last year. I think we are ready through the efforts of Michelle and Louise Bergeron to do some education on mosquitoes and have put it together and want to talk to you first about education and doing a town-wide mailing. We would like to partnership with the Board of Health and hopefully the Board can pay the \$200 fee for this mailing. Michelle said it would be more meaningful if we could do this with the Board's approval. This could come out from Conservation and the Board of Health.

Secondly, Buzz said he does not know if the State association is keeping the Board informed on the mosquito-borne illness task force, which was called for last fall and have now met a few times. Their plan is to find a consultant to look at alternative ways to control mosquitoes in case of an outbreak and also to expedite the avenue for either a town-wide opt out or land owners opt out for spraying. The application for the Town to consider this is under the jurisdiction of the Selects and was told it did not involve the Board of Health, but obviously you would be involved. They do not have a form yet and may not in the foreseeable future. This has to be filed by May 15 so it seems like a longshot that the Town would have an alternate approach to spraying by then but we

wanted to keep you in the loop about that if it seems likely. Michelle said the last time we met you said you were interested in having control over whether we were spraying. If you are interested then they are willing to hustle to get this done by May 15, which is why we wanted to get on the agenda tonight. So we want your feedback about whether this would be a useful thing for us to pursue. We would like to get out the message about EEE but also keep the local control.

Fred asked if it was aerial spraying they want to control. Buzz said it is clearly a danger and a worry for ecological reasons for habitat as well as people with organic farms. Fred said East Middlesex Mosquito Control said ground spraying would not work in Lincoln because we are too spread out. The spraying we did last year was the result of a case of EEE in a child in Sudbury and Lincoln-Sudbury was spraying the playing fields and people were concerned about the Lincoln children. So if the Town opts out and there are kids in nearby Towns who come down with EEE, what do you feel our stance should be. Buzz said that if nothing is available and there was a public health emergency then we would have to spray but that is the bottom line. The State can override us anyway, but it is best to have a plan of what we would do if something like that happens. Michelle said we need to do more education so if something does happen in Sudbury parents in Lincoln will not panic as much. If we have a case in Lincoln then that is a public health emergency, but what they are looking for is a transparent process where other stakeholders would have an input on what happens.

Conservation Director Michele Grzenda said she feels the same way that it is about outreach and the ConCom is looking at this from the ecological impact on various mosquito prevention tools and what they would have on the environment and some of the data shows some of the products have an impact on non-targeted species. Mosquitoes are an essential part of the ecosystem in terms of their larva and they end up being prey to different animals that we respect. There needs to be a balance between public health and the ecosystem. With a wet spring and climate change, mosquito-borne diseases are getting worse. We all need to work together to figure out what kind of educational message we want to get out to our residents and create a relationship by which certain people get notified so there is an open and transparent communication in case an emergency happens.

Fred asked what kind of information we are going to say that we have not already put on our website. Michele G. said there are a lot of different options other than spraying. People have spent a lot of time creating brochures to encourage people to utilize the brochures from Mass. Dept. of Agriculture and DPH. She showed a flyer from DPH for people and people might be more likely to read a brochure they got in the mail showing what they can do around their house to reduce the risk of mosquito-borne illnesses. This could also come with a letter encouraging people to read the brochure, which they would want the Board to look over. This could talk about people asking to spray your yard which may not be as effective on mosquitoes. Also you are not supposed to be spraying if you are within 100 feet of wetlands.

Michelle B. also thought the letter should talk about the danger of knocking out mosquitoes everywhere and what that would do to the food chain for dragonflies and bats and look at the cost and benefits over time of using chemicals. Fred said we pay the East Middlesex Mosquito Control and they should know what they are using in the catch basins or spraying and what risk it presents. We need a plan on what to do if we do have a public health emergency. Buzz said we need to get the letter and brochure out to residents and also work on the opt-out plan because the deadline is May 15. Fred said you need to get something out in a couple of weeks and the Board would be happy to look at what you came up with and give you some feedback. We need to get something out by the end of April. Patricia worries more about the individuals who are spraying their property, which is where the information would help. The group will get back to the Board with more information.

Minutes:

Patricia Miller made a motion to approve the minutes of the February 10, 2021 meeting as written. Steven Kanner seconded the motion. Roll Call Vote: Steven Kanner-aye; Patricia Miller-aye; Fred Mansfield-aye

At 9:15 p.m. Patricia Miller made a motion to adjourn the meeting. Steven Kanner seconded the motion. Roll Call Vote: Steven Kanner-aye; Patricia Miller-aye; Fred Mansfield-aye

Submitted by Elaine Carroll

Approved: April 14, 2021