



Town of Carlisle  
Office of  
BOARD OF HEALTH  
66 Westford Street  
Carlisle, MA 01741

Tel.: (978) 369-0283  
Fax: (978) 369-4521

BREM 07510-01-2014

MEMORANDUM

To: Zoning Board of Appeals  
From: Board of Health  
Date: October 1, 2014  
In Re: Lifetime Green Homes 40B Application

OCT 01 2014

TOWN CLERK CARLISLE  
CHARLENE M. HINTON

Water Supply

Representatives from the Board of Health have not been able to meet with the James Persky of the Mass DEP Drinking Water Program on the question of public v. private water supply for the above project. The applicant has not yet provided DEP with the required documentation.

A meeting was tentatively scheduled for September 29<sup>th</sup> but the documentation was lacking. DEP requires documentation two weeks prior to a meeting (see attached email from DEP 9/19/14). The Board of Health and Town Counsel have also asked for copies within the same timeframe. No documentation has been provided to the Board as of this date. It appears that the meeting will not take place until mid-October.

It is the position of the Board of Health that the project warrants classification as a Public Water Supply due to potential health and environmental risks. Since the water supply could be the gatekeeper to the number of units, the sooner this issue is resolved the better for all parties.

The Board will keep the Zoning Board advised of its progress.

Septic System

The Board of Health requests that the Zoning Board's peer reviewer begin consideration of the groundwater mounding calculations and nitrogen loading (including credit land) as soon as possible.

BOH:lmf

/Lifetime Green Homes

✓ cc: Town Clerk

## Linda Fantasia

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**From:** Persky, James (DEP) <james.persky@state.ma.us>  
**Sent:** Friday, September 19, 2014 10:19 AM  
**To:** Linda Fantasia; 'Jeffrey Brem'  
**Cc:** Bill Risso ; Storrs, Edward; Tom Harrington; Montouris, Dorothy (DEP)  
**Subject:** RE: Carlisle - 100 Long Ridge Road - Meeting with DEP

As Linda said, I have tentatively reserved a meeting room for Monday, Sept. 29. However, it is not clear from the MassDEP end that there is a purpose for holding a meeting on this date. My understanding was that the Town requested the meeting to discuss MassDEP's determination on whether the 100 Long Ridge Road development constitutes a public water system, or multiple private water systems. MassDEP presently has no basis to make a determination.

To date, the only documentation for the project that MassDEP has received is a June 30, 2014 preliminary utility plan. The main thing MassDEP needs to see to make a determination is the language that would go into the master and unit deeds to give the well owner(s) ownership of their water supply despite the common ownership of the condominium property. MassDEP needs to obtain this documentation **at least two weeks prior** to a meeting to ensure that MassDEP Counsel will have time to review the materials prior to a meeting. It is already too late to allow this time for a Sept. 29 meeting. Unless there are other issues for which the Town wants a meeting with both MassDEP and Meisner Brem, MassDEP recommends that the Sept. 29 meeting be postponed, and rescheduled once MassDEP has received the necessary documentation. MassDEP should be able to promptly offer several possible meeting dates once we have received the documentation.

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James Persky  
MassDEP Drinking Water Program  
Northeast Regional Office  
(978) 694-3227  
FAX (978) 694-3498

RECEIVED  
SEP 18 2014  
BOARD OF HEALTH  
CARLISLE

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**From:** Linda Fantasia [mailto:LFantasia@carlisle.mec.edu]  
**Sent:** Thursday, September 18, 2014 11:44 AM  
**To:** 'Jeffrey Brem'  
**Cc:** Persky, James (DEP); Bill Risso ; Storrs, Edward; Tom Harrington  
**Subject:** RE: Meeting with DEP

Yes. Monday, September 29<sup>th</sup> at 10:00 am. at DEP Northeast Regional Office.

I spoke with Jim Persky today and he has penciled in the meeting on his calendar. You should also confirm with him. Attending for the town will be Bill Risso and Lee Storrs (BOH) , Tom Harrington (town counsel) and myself.

Jim noted that he does not have your proposed documents on well operation and maintenance. Would you please send them to Jim and also the Board of Health so we can review them before the meeting. Thanks.

Linda Fantasia  
Health Agent  
Town of Carlisle  
66 Westford Street  
Carlisle MA 01741  
(978) 369-0283

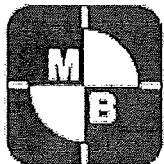
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**From:** Jeffrey Brem [<mailto:jabrem@meisnerbrem.com>]  
**Sent:** Thursday, September 18, 2014 8:21 AM  
**To:** 'Linda Fantasia'  
**Subject:** RE: Meeting with DEP

Linda  
Any word yet? I want to secure the date.

Jeffrey A. Brem, P.E.  
Meisner Brem Corporation  
142 Littleton Road, Suite 16  
Westford, MA 01886  
Tel: (978) 692-1313  
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**From:** Linda Fantasia [<mailto:lfantasia@carlisle.mec.edu>]  
**Sent:** Monday, September 15, 2014 2:53 PM  
**To:** Jeffrey Brem  
**Subject:** Re: Meeting with DEP

No confirmations yet. Bill away until tomorrow. Haven't heard from counsel.

Sent from my iPhone

On Sep 15, 2014, at 2:33 PM, "Jeffrey Brem" <[jabrem@meisnerbrem.com](mailto:jabrem@meisnerbrem.com)> wrote:

Linda

Any word on these dates/times? I am meeting with the Board of Appeals tonight and I would like to provide them a date that we are meeting. My lawyer is ok with all of them.

Jeffrey A. Brem, P.E.  
Meisner Brem Corporation  
142 Littleton Road, Suite 16  
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**From:** Jeffrey Brem [<mailto:jabrem@meisnerbrem.com>]  
**Sent:** Wednesday, September 10, 2014 9:57 AM  
**To:** 'lfantasia@carlisle.mec.edu'; Doug Deschenes ([Doug@dfpclaw.com](mailto:Doug@dfpclaw.com))  
**Cc:** 'zba@carlisle.mec.edu'  
**Subject:** Meeting with DEP

Linda and Doug

Jim Persky from MassDEP, Water Supply called me yesterday in response to my emails and voice messages with several dates for the meeting requested by Carlisle Board of Health. I was correct in presuming the delay was caused by trying to include their lawyer. Jim provided several times and dates as follows:

Sept. 29, 30 or Oct. 3     10 AM  
Oct 6, 7                    All day

I am not available on Oct. 3. I have appointments in the afternoon of the 30<sup>th</sup> so although I may be available, it will be a lot of driving so I would rather do Sept. 29. Let's with that date and see if Doug and Board of Health Rep (and their lawyer if desired) can make it.

So, please respond affirmative or negative in this order of preference.

1. Sept. 29, 10 AM
2. Sept. 30, 10 AM
3. Oct. 6, 10 AM
4. Oct. 6, 2 PM
5. Oct 7 10 AM
6. Oct 7, 2 PM

Please reply to me and I will coordinate.

Jeffrey A. Brem, P.E.  
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