

Board of Health Minutes
Monday, September 11, 2023 5:30 PM
Meeting Room C, Town Hall
25 Green Street, Ipswich, MA

Call to Order: Susan Hubbard called the meeting to order at 5:30 PM.

Members in attendance: Susan C. Hubbard, Dr. Susan Boreri and Amanda Donovan.

Others in attendance: Colleen Fermon, Director of Public Health, John Morris, Health Inspector, Jennifer Brown, Administrative Assistant, Daniel Johnson, R.S., Thomas and Barbara Gouzie, David Harding, Mike Carignan and Vicki Hallmen.

Citizens Queries: None.

Minutes: Dr. Boreri made a motion to approve the July 10, 2023 Board of Health minutes. Susan Hubbard seconded the motion. The motion passed unanimously.

Hearings:

5:31 –Alexander Knudsen and Amanda Hayes – 17 Masconomet Road – Represented by Domestic Septic Design, Inc. - Septic System Design Variances

Daniel Johnson, R.S., presented and a hearing was conducted to consider variances from Title 5 and Ipswich Board of Health Septic System Regulations for a 3-bedroom sewage disposal system plan # J-2844 designed by Daniel Johnson, R.S, dated July 24, 2023 and revised August 9, 2023 for 17 Masconomet Road, Ipswich, Massachusetts.

Mr. Johnson said the system serving the 3-bedroom dwelling failed a Title 5 inspection on April 5, 2022. He explained that this is a small lot with limited access to the backyard so testing was done in the front yard.

Mr. Johnson proposed the use of a 1,500-gallon septic tank with a 3-foot by 60-foot leaching area for the upgrade of the system and requested the following variances:

- A 1-foot reduction in the separation between the bottom of the leaching area and estimated seasonal high groundwater (ESHGW). A 4-foot separation is provided.
- A reduction in the setback between the leach field and the cellar wall. A 7-foot setback is provided.
- A reduction in the setback between the leach filed and the drain. A 5-foot setback is provided.
- A reduction in the design flow from 150 gallons/bedroom/day to 110 gallons/bedroom/day.

Mr. Johnson explained that the reduction in the setback between the leach filed and the drain is needed since the drain needs to be relocated to serve the downspout.

Susan Hubbard asked Colleen Fermon for her thoughts. Colleen Fermon noted the septic system failed a Title 5 Inspection on April 5, 2022. Ms. Fermon said she met with the designer on July 19, 2023 to review 3 different design options for the upgrade of the system. Ms. Fermon supported this approach and recommended granting the variances as requested with the following conditions for approval:

- Prior to the issuance of the Disposal System Construction Permit, an Ipswich licensed installer must obtain a trench permit.
- The system must be installed with the Certificate of Compliance issued by April 5, 2024.

Susan Hubbard made a motion to approve the plan and grant the requests with the conditions for approval as enumerated by Colleen Fermon. Dr. Boreri seconded the motion. The motion passed unanimously.

5:34 –Thomas and Barbara Gouzie – 1 Fordham Road – Title 5 Inspection Variance

Thomas and Barbara Gouzie presented, and the Board conducted a hearing to consider a request for a variance from section 10.2 of the Ipswich Board of Health Septic Regulations. Section 10.2 reads; a septic system shall be inspected by

an Ipswich licensed Title 5 Inspector whenever an addition or renovation to an existing building, excluding decks, is proposed that increases the footprint of the building and requires a building permit or occupancy permit from the building inspector. The inspection requirement shall be waived if a Certificate of Compliance was issued or a Title 5 Inspection was completed within the previous 3 years, or if the system is under an operation and maintenance contract.

At the meeting, the owners proposed an increase in the footprint of the dwelling to allow for the addition of a new kitchen and family room. Pursuant to 10.2, a Title 5 inspection is required. They requested a variance from the Title 5 inspection requirement since there is no increase in bedrooms proposed.

Colleen Fermon noted that the system was pumped on May 31, 2027, October 3, 2008, June 14, 2012, April 24, 2015, November 20, 2016 and September 30, 2022 and no problems with the septic system were found at those times. Additionally, the 4-bedroom septic system was installed in 2005 and the septic design plans, as-built plans and a Certificate of compliance are on file in the Public Health Office.

Susan Hubbard made a motion to grant the variance from 10.2 and not require the Title 5 inspection for the proposed addition. Dr. Boreri seconded the motion. The motion passed unanimously.

5:39 – Ipswich Composting Facility – 196 Town Farm Road – Represented by Mike Carignan, Vice President of Agresource Inc. – Application for Renewal of a Type I Sludge Approval of Suitability for Beneficial Use

David Harding, President of Agresource, Inc., Mike Carignan, Vice President of Agresource, Inc. and Vicki Halmen, Ipswich Water and Wastewater Director presented, and the Board of Health conducted a hearing to consider the renewal of Type 1 Approval of Suitability for the Ipswich Compost Facility located at 196 Town Farm Road.

Vicki Halmen noted that this is the town's composting facility and Agresource operates it under a contract with the town. Agresource, Inc. has operated the compost facility for Ipswich since the 1980's for municipal biosolids, various food wastes as well as processing leaf and yard waste used in construction of fields, wetland remediation and storm water treatment; etc.

Colleen Fermon provided some background information for the Board members. On August 29, 2023 Ms. Fermon received the renewal application submitted by Agresource to the Massachusetts Department of Environmental Protection for an Approval of Suitability for Type 1 Sludge for the Ipswich Compost Facility located at Town Farm Road. Under the regulation, 310 CMR 32 Land Application of Sludge and Septage, the Board of Health must provide concurrence that the application should be renewed. An approval is valid for 5 years. The last approval was granted on February 22, 2019. Ms. Fermon explained that this approval was modified in February 2020 to include testing of an additional PFAS compound. Agresource, Inc. has provided all required analysis for 2019-2023 (for the first half of the year).

Dr. Boreri asked if there were any additional changes since the prior approval. Mr. Harding confirmed there were no changes since February 2020.

Mr. Harding added that Agresource distributes compost to New England farms as well as to private individuals. Compost is available, at no cost, to Ipswich residents at the Department of Public Works Transfer Station. Vicki Halmen noted the composting facility saves the town money. If it wasn't operating the town would have to take its wastewater treatment facility sludge elsewhere to get rid of it. It likely saves the town a half a million dollars.

Susan Hubbard made a motion that the Type I Sludge Approval of Suitability for Beneficial Use should be renewed. Dr. Boreri seconded the motion. The motion passed unanimously.

5:45 – Pelletier Family Trust, Reta J. Pelletier – 59 Topsfield Road – Variance from Fee Schedule for the Housing Re-inspection Fee

No one was in attendance for Pelletier Family Trust. The Board conducted a hearing to consider Reta J. Pelletier's request for a waiver from the Ipswich Board of Health Schedule of Fees regarding the \$75.00 re-inspection fee for the re-inspection conducted on July 12, 2023.

Colleen Fermon provided the background. On April 3, 2023, the Public Health Department received a complaint regarding the condition of the property at 59 Topsfield Road. On April 19, 2023, a housing inspection was conducted in accordance with 105 CMR 410.000: State Sanitary Code Chapter II: Minimum Standards of Fitness for Human Habitation. Subsequently, an order for correction was issued to the owner on April 19, 2023 for the violations found. Re-inspections of the property were conducted by a representative of this office on June 2, 2023 and July 12, 2023. A \$75.00

re-inspection fee was applied to *each* re-inspection. The owner paid the \$75.00 fee for the June 2, 2023 re-inspection. Also, since the owner did not obtain compliance with 105 CMR 410.000 by the June 1, 2023 deadline set by the Board of Health, a criminal complaint was filed against her in court for failure to comply with a Board of Health order. Subsequently, a site visit was also conducted by a representative of the Public Health Department to show the owner what needed to be removed from the property. There was no fee collected for this site visit.

Based on the time dedicated to the property in 2023 as well as in 2012, 2014, 2018 and 2020 Susan Hubbard made a motion to deny the request. The \$75.00 re-inspection fee must be paid within 30 days. Dr. Boreri seconded the motion. The motion passed unanimously.

6:50 – Director of Public Health Report:

Greenhead Fly Trap Agreement with the Northeast MA Mosquito Control District: Town Manager, Stephen Crane, signed the Greenhead Fly Trap Agreement with the Northeast MA Mosquito Control District for 2024 - 2026. Signing a 3-year contact caps the cost of the traps used in Ipswich.

Northeast MA Mosquito Control District update: Salt marsh spraying was conducted in Ipswich on August 31, 2023. To date, there has been no EEE or WNV detected in Ipswich.

Sharps Collection for July 2023: In July 2023 1,650 sharps were collected.

ONESTOP: Between August 1, 2022 and June 30, 2023, 19,103 sharps were collected and 175 syringes were distributed. Additionally, there were 6 people accessing syringe services.

On September 25, 2023 ONESTOP will offer a free pop-up medical clinic open to Ipswich residents at 6 Caroline Avenue. Free testing for HIV, gonorrhea, chlamydia, syphilis and blood pressure checks will be available. Narcan enrollment and risk and reduction services will also be offered.

9 Bunker Hill Road - housing court update: The Public Health Department has contacted Attorney George Hall, legal counsel for the Town of Ipswich, to discuss filing a Receivership Petition in the Northeast Housing Court. At the September 11, 2023 Board of Health meeting, it was noted that the propane tanks that provide the fuel for heating have been removed. Under 410.180: Temperature Requirements, heating is required as of September 15th.

(A) The owner shall provide heat in every habitable room and every room containing a toilet, shower, or bathtub from September 15th through May 31st inclusive so that it shall be:

- (1) At least 68^oF (20^oC) between 7:00 A.M. and 11:00 P.M.; and
- (2) At least 64^oF (17^oC) between 11:01 P.M. and 6:59 A.M.

New England Biolab's Recombinant DNA registration application approved: On August 29, 2023 the Public Health Department received a Registration Application for RDNA Use for New England Biolabs. The application was reviewed by Rebecca Ryan Caruso and it was determined that it complies with the Ipswich Board of Health's Recombinant DNA Technology Regulation for all RDNA use outlined in the registration application. The registration approval was granted and expires on September 1, 2024.

Educational Food Mailings: The Public Health Department sent a mailing to all Food establishments regarding Consumer Advisory and Allergen Awareness on September 7, 2023.

Next Board Meetings: The next meetings of the Board of Health are scheduled for October 2, 2023, November 6, 2023, December 4, 2023, January 8, 2024, February 5, 2024 and March 4, 2024. All meetings will start at 5:30 PM and be in Town Hall, Meeting Room C.

Adjourn: Dr. Boreri made the motion to adjourn at 6:16 PM. Susan Hubbard seconded the motion. The motion to adjourn passed unanimously.

Documents used at the September 11, 2023 Board of Health meeting:

- July 10, 2023 Board of Health Minutes.
- Ipswich Board of Health Septic System Regulations.
- 310 CMR 32.00: Land Application of Sludge and Septage.
- 310 CMR 15.00: State Environmental Code, Title 5.
- Approval for Suitability Application dated August 11, 2023.
- Email dated August 29, 2023 from Mike Carignan regarding Agresource, Inc.
- Subsurface Sewage Disposal System Design Plan for 17 Masconomet Road.
- Letter dated July 12, 2023 from Reta Pelletier regarding 59 Topsfield Road.
- Email dated August 15, 2023 from Barbra Gouzie regarding 1 Fordham Road.

Susan C. Hubbard, Chairperson

Dr. Susan Boreri, Board Member

Amanda Donovan, Board Member