

From: [Peter Colarusso <PeterColarusso@hotmail.com>](mailto:PeterColarusso@hotmail.com)

To: [Ellen Lufkin <lufkine@manchester.ma.us>](mailto:lufkine@manchester.ma.us)

Date: 2/20/2025 2:29:31 PM

Subject: [EXTERNAL] - Re: 02/27/25 meeting agenda and notes

Attachments: 02-27-25 B.O.H. Agenda .docx
02-13-25 Draft B.O.H. Minutes.docx

****WARNING**** This email originates from a personal e-mail account and may attempt to impersonate personnel or deliver suspicious or malicious content. Please take care if you proceed.

I will attend
Sent from my iPhone

On Feb 20, 2025, at 2:22 PM, Ellen Lufkin <lufkine@manchester.ma.us> wrote:

Reminder, BOH meeting next Thursday, February 27th at 8:30 a.m.

Please let me know if you are able/unable to attend.

Have a great weekend everyone.

Best,
Ellen
BOH Office



Manchester-By-The-Sea
Meeting Posting

Notice of Public Meeting – (As required by M.G.L.Ch.30A §18-28)

Board/Committee: Board of Health
Day & Date: THURSDAY, FEBRUARY 27, 2025
Time: 8:30 a.m.
Location: Room #7 and VIRTUAL by Zoom link (MBTS Platform # 1)

JOIN ZOOM MEETING

[HTTPS://US06WEB.ZOOM.US/J/83449617503?PWD=YFQVSMVXKkVPTSYeITRU0BWYQNVZA4Q.1](https://us06web.zoom.us/j/83449617503?pwd=YFQVSMVXKkVPTSYeITRU0BWYQNVZA4Q.1)

MEETING ID: 834 4961 7503

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AGENDA

CALL TO ORDER

FOR DISCUSSION/REVIEW

239 SUMMER STREET, ESTATE OF ANN DODGE

SEPTIC UPGRADE PLANS BY HANCOCK ASSOCIATES DATED 10/31/24, PENDING REVISIONS

12 PLUM HILL ROAD, McLAUGHLIN

SEPTIC DESIGN PLANS BY KATHERINE CRUZ OF HANCOCK ENGINEERING DATED 08/14/24, PENDING REVISIONS

73-75 HARBOR STREET, FALZONE

SEPTIC CONNECTION PLAN BY DEVIN HOWE OF BEALS ASSOCIATES DATED 01/28/25, SHARED SYSTEM, PENDING

8 ATWATER AVENUE, M.A.C.

SEPTIC REPAIR PLAN BY THAD BERRY OF ASB ASSOCIATES DATED 01/20/25, PENDING REVIEW

23 OLD NECK ROAD, CUNNINGHAM

SEPTIC DESIGN PLAN BY DAN JOHNSON OF DOMESTIC SEPTIC DESIGN DATED 02/03/25, PENDING REVIEW

DIRECTOR'S REPORT

- CRITICAL DROUGHT ALERT FOR NORTHEAST MASSACHUSETTS
- BLACK EARTH 2024 MATERIALS ANNUAL REPORT
- DPH CANCER INSTITUTE COMMUNITY REPORT ON MANCHESTER
- HOUSING COMPLAINTS UPDATE
- UPDATE ON FOOD INSPECTIONS
- UPDATE ON COALITION, PHEP – REGION 3D

MINUTES OF 02/13/25 FOR REVIEW AND APPROVAL

PUBLIC COMMENT ON NON-AGENDA ITEMS

ADJOURNMENT

Manchester Board of Health
Draft Meeting Minutes
Thursday, February 13, 2025
Town Hall Room #7 and By Zoom Platform

Members present:

Peter Colarusso, Leah Peavey, Joan Cottler (by Zoom)

Members absent:

Dr. Martin Hahn

For Review

2 Orchard Lane, Walker

John Judd, P.E., was present by Zoom to present this application.

Mr. Colarusso asked if members had any questions on this application or plan review. Members had no questions. Ms. Hansbury pointed out that the lot (for the new construction home and septic system) was proposed and not actual. Mr. Judd provided that the lot was approved on Monday night by the Planning Board. Ms. Hansbury asked if the easement on the plan would be recorded at the Registry of Deeds along with the Planning Board ANR approval. Mr. Judd replied yes.

Mr. Colarusso made a motion to approve the Septic Design Plan as submitted by John Judd, P.E. of Gateway Consultants and last revised on January 27, 2025 for 2 Orchard Lane in Manchester conditioned on approved lot and easement plan and permits. Ms. Cottler seconded the motion. Members, by roll call vote were unanimous to approve the motion:

Mr. Colarusso, in favor

Ms. Cottler, in favor

Ms. Peavey, in favor

16 Highland Avenue, Hull and Wisner

Mr. Colarusso asked if members had any questions on this application or plan review. Members had no questions. Mr. Colarusso noted that the 4" required pipe would be sufficient for gravity feed but the plan is to keep the pump. Ms. Hansbury said the pipes had been placed in the poured foundation and they will pump up and in to the line. Mr. Colarusso made a motion to approve the Septic Connection Plan (labeled "Site Plan") submitted by John Judd, P.E. of Gateway Consultants and last revised on January 28, 2025 for 16 Highland Avenue in Manchester. Ms. Cottler seconded the motion. Members, by roll call vote were unanimous to approve the motion:

Mr. Colarusso, in favor

Ms. Cottler, in favor

Ms. Peavey, in favor

5 King's Way, private well

Mr. Colarusso noted that the private well water testing for 5 King's Way had some fails, including for manganese, iron, and color adding that those were all secondary standards. Ms. Hansbury said that there were no limits per say for those items. Mr. Colarusso asked if there was any information available for proposed treatment. Ms. Hansbury said no as the house has not been built yet. Members had a discussion on the need for a well certificate and if treatment was needed for these secondary EPA standards where no limits had been set. Ms. Hansbury said the Board had an option to ask for treatment information or make a statement on recommendations regarding their choice. Mr. Colarusso and Ms. Peavey were agreeable with recommendation only, Ms. Cottler agreed if it was possible to complete treatment. Mr. Colarusso made a motion to approve the water supply certificate for 5 King's Way in Manchester with a note added to the certificate recommending treatment for manganese and iron.

Citizen Petition

Mr. Colarusso asked members if they had any questions or suggestions regarding a citizen petition for a Town Meeting warrant article related to the Board of Health recently passed tobacco regulations. Ms. Hansbury said that the Town Counsel has advised that the warrant article would be non-binding as challenges to Board of Health regulations must happen through the Massachusetts courts, and that the item once filed must be on the Town meeting warrant. She was unsure if the article would be passed over at the Town meeting. Mr. Colarusso said it was important that the Town informs Town meeting voters, before a Town meeting vote, that the article is non-binding. Ms. Hansbury advised the Board to prepare a statement. Mr. Colarusso, noting the low percentage of voters at Town meeting, suggested an article of explanation be placed in the Cricket by the Board. Ms. Hansbury said she was concerned about the narrative being one of government overreach. She said the generational ban was the easiest way to stop the killer of youth and stop

vaping by children. Mr. Colarusso said he would write up something and send it around to the members. He would include in his written comments that the State had recommended that Boards of Health address and update tobacco regulations. It was said that there were 8 communities that had passed generational bans, and that the number had now increased to eleven communities. Ms. Peavey said the ban was about protecting the Town's youth and stopping new customers while not preventing existing customers from purchasing tobacco. Members will review Mr. Colarusso's written information at their March 13th meeting and then send the document to the Manchester Cricket.

Director's Report

Addenda to Title 5

Ms. Hansbury asked members if they had questions on Title 5 subcommittee work. There were no questions. Next meeting scheduled for February 25th with advertising in the Tide and on the Town website. It was noted that Gloucester has also been reviewing their Addenda to Title 5 for the past four months.

Regional Youth Prevention Network "RYPN"

The group is submitting a recommitment to the SAMSA grant, that document can be signed by the Board of Health Chairperson. Mr. Colarusso made a motion to renew the Partnership for Success Grant. Ms. Cottler seconded the motion. Members, by roll call vote were unanimous to approve the motion:

Mr. Colarusso, in favor

Ms. Cottler, in favor

Ms. Peavey, in favor

Public Health Excellence Grant "PHEG"

Ms. Hansbury asked members if they had any questions related to the Public Health Excellence Grant proposal. Mr. Colarusso said that the grant was aggressive and had a lot to handle. He asked Ms. Hansbury how she would perceive this Board's participation. Ms. Hansbury referenced the 2019 State Blueprint leading to State Blueprint 2.0 funding at the State level. She said the PHE shared services money should help with compliance with new State requirements. In response to a comment on unneeded staffing, she replied that the staffing portion is an example of what could be possible items, not chosen items. She said having an extra health agent could get things done quicker and cover her vacations. She supported what she called "training up the next level" as that would help as there are a lot of people who don't know what they are doing. Also, it could help with digitizing records. Mr. Colarusso asked if an intern could do that work and would the State pay for that? He shared that the school has community services requirements and students who still need to fulfill those required 10 -20 hours. He suggested they be called upon to assist with data input. Ms. Hansbury said she was willing to oversee students while also noting how to lay out and give clear direction to those students. Ms. Cottler asked if the Board would be

obligated to take the students without interviews. Ms. Hansbury said the State summer intern program used college students and included extensive interviews. Regarding the PHE Grant, Ms. Hansbury said that the Gloucester Health Director has more inspector needs, where she sees Manchester as needing help with new regulation compliance, data entry, dealing with paperwork and getting it online so that records are ready for State compliance checks. She said that Manchester's IMA (Inter Municipal Agreement) will need to identify that, and the IMA is the first part of the work. She added that the Board will get a chance to comment on the IMA and that it will get checked and reviewed a lot to see that it is what both she and the Board want. Mr. Colarusso asked to confirm that if the grant money runs out that the program is then over without a commitment by the Town to have the fund the program. Ms. Hansbury confirmed the same. Ms. Cottler said she was in support if it was made clear what Manchester wants, which will not be the same as what Gloucester wants. Ms. Hansbury said there were some commonalities and some differences. That the grant is not creating forever positions but rather had finite tasks and a changing dynamic resulting in three-year training and then workers being sent out. Mr. Colarusso asked to confirm that the document as now standing is not a final document. Ms. Hansbury confirmed the same. Ms. Hansbury said a letter of intent is next to be signed by Town Administrator Federspiel and that combined with Gloucester's letter of intent would then be submitted to the State. Mr. Colarusso made a motion to move ahead with the PHE Grant application and development with Gloucester. Ms. Cottler seconded the motion. Members, by roll call vote were unanimous to approve the motion:

Mr. Colarusso, in favor

Ms. Cottler, in favor

Ms. Peavey, in favor

Red Cross Blood Drive

Mr. Colarusso made a motion to support the March 11, 2025 American Legion Red Cross Blood Drive. Ms. Cottler seconded the motion. Members, by roll call vote were unanimous to approve the motion:

Mr. Colarusso, in favor

Ms. Cottler, in favor

Ms. Peavey, in favor

Internship Program

Ms. Hansbury apologized to members asking if they were all o.k. with her pursuing the State Summer Intern Program, which she could not bring to the Board ahead of time due to the application deadline. Members had no comment.

Harvard Naloxone Training Program

Ms. Hansbury said Harvard would be providing school NALOXONE training. That Manchester and Essex Police and Fire Departments would be providing additional training as a community service. The Regional Youth Prevention Network “RYPN” will pay for adult training (parents of students) if the Board of Health finds a location and advertises and provides flyers with the assistance of Tiffany Marletta. The training will be held in May and the group is hoping for 5 – 10 adults to attend. Ms. Hansbury said she will work with Chelsea from RYPN on options and timing. Members agreed to support the training and suggested feeding participants as an incentive.

Wetlands Determination

Ms. Hansbury said the Board had taken another department’s interpretation (of wetland setbacks) at face value. Also, that Town Administrator Federspiel, following her request for Town Counsel opinion, had determined that 100’ plus an additional 100’ equaled the 200’ setback from the edge of a vernal pool. Ms. Hansbury said she had rejected another application. And that the Conservation Commission had already given approval within that 200’ setback. Mr. Colarusso asked if that was not counter to their regulations and asked if topography was considered. Ms. Hansbury asked the members if they wanted to require an applicant to request a variance for same or if they wanted to require a note be placed on the plan noting that the 200’ buffer is being built in. Mr. Colarusso suggested keeping the 200’ setback in place and giving variances on a case-by-case basis.

Housing Updates

- 2 Powder House has submetering of electric and forced hot water heating with determination made regarding who is paying for the common space utilities. Concern regarding accessibility needed no investigation as a handicapped ramp was being installed at the time of Ms. Hansbury’s site visit.
- 2 Desmond Avenue has filed an abatement application with the Assessor’s office which will require a walk thru inspection. As that inspection is pending, and Ms. Hansbury may accompany the Assessor’s office to the site, she held on issuing the follow-up letter requested by the Board. She noted that the property owners are here in Manchester and not in Florida as mentioned prior. She will write to the owners and request an update on the status of repairs.

Meeting Minutes

Mr. Colarusso made a motion to approve the minutes of January 13, 2025 with the following amendment: ***on page (2) remove the line: “Mr. Judd replied a short wall, 50’ or longer”.***

Ms. Cottler seconded the motion. Members by roll call vote were unanimous to approve the motion:

Mr. Colarusso, in favor

Ms. Cottler, in favor

Ms. Peavey, in favor

Household Hazardous Waste Collection Day

Ms. Lufkin proposed the yearly one-day collection of household hazardous waste be scheduled with Clean Harbors (under the existing State contract) for June 14, 2025. Members agreed to the proposal. Members and Ms. Hansbury complimented Ms. Lufkin on the great job she has done running the hazardous waste collection day over the years. Mr. Colarusso followed that it was a two-year process to get approval for the new Board of Health Agent position because there was the opinion that additional funding for the position was not necessary as Ms. Lufkin already did or was already doing the work. Ms. Hansbury pointed out the things that she had uncovered since taking her position, noting that the prior contractors did not have access to notes or the ability to work with the DPW or to review the files of abutting properties as they had no access.

At 9:33 a.m. Mr. Colarusso made a motion to adjourn the meeting. Ms. Cottler seconded the motion. Members by roll call vote were unanimous to approve the motion:

Mr. Colarusso, in favor

Ms. Cottler, in favor

Ms. Peavey, in favor

As submitted,

Ellen D. Lufkin

Administrative Assistant

