

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

To: [Town Clerk <townclerk@manchester.ma.us>](mailto:townclerk@manchester.ma.us)

Date: 6/23/2025 2:35:52 PM

Subject: BOH minutes for posting - thank you :)

Attachments: 04-10-25 B.O.H. Minutes.docx

05-08-25 B.O.H. Minutes.pdf

05-22-25 B.O.H. Minutes.pdf

Good afternoon ladies,

Please find BOH approved meeting notes attached for posting.

Thank you both ☐

Ellen

Manchester Board of Health

Meeting Minutes

Thursday, April 10, 2025

Town Hall, Room #7 and by Zoom Platform

Members present:

Peter Colarusso, Joan Cottler, Leah Peavey

Members absent:

Dr. Martin Hahn

For Review/Discussion

2 Desmond Avenue, Housing

Mr. Colarusso noted that the housing issues at 2 Desmond Avenue are long-term issues, that compliance has been ignored, and misleading information provided. He expressed concern for emergency responders should they need to respond to the site. Ms. Cottler added that she had concern for the owner occupants of the dwelling. Health Director Wendy Hansbury informed the Board that Town Counsel had weighed in regarding condemnation of the dwelling. Adding that the Board needed to take sufficient action and make sure the dwelling is unoccupied. Also, she had received an additional complaint about the site this afternoon. It was noted that the property owners said they were out of State and were requesting a hearing and that delaying a hearing was o.k. with Town Counsel as long as it was without liability. Mr. Colarusso noted that one of the property owners was in Town as evidenced by their participation in this week's Monday Select Board meeting.

At 8:37 a.m. Ms. Katarina Gates, owner of 2 Desmond Avenue, joined the meeting. She said she had returned to Town on Tuesday evening. In response to Mr. Colarusso's statement that the water to the property must be turned on and emergency access provided, Ms. Gates said that the water was the last item to be done. She said that the Desmond Avenue side of their other property (located at 31 School Street) must be torn

down. Ms. Hansbury reminded Ms. Gates that the house has been used with no water on and that despite an agreement to begin roof work before the Christmas holiday no roof work or access work has been done. Ms. Gates replied that she returned to Town on the 3rd of this month and received a letter (from the Board of Health) on that date that included Ms. Hansbury's March 27, 2025 letter and findings from her September inspection. Ms. Gates read a portion of that inspection report aloud regarding the storage of chairs. Mr. Colarusso informed Ms. Gates that the major concerns are 1.) property access and 2.) having the water turned on. Further that if the Gates did these two items the Board would give them time to address the roof. If not, the Board would have to go to court and to the State. There was a brief discussion regarding access and materials stored by Ms. Gates son. Ms. Gates said that the roofer was ready but had not gone to do the work. Ms. Cottler reminded Ms. Gates that by State law the house is not habitable. She directed Ms. Gates to 1.) go to the Department of Public Works and ask to have the water turned on and 2.) go to the roofer and ask them to begin work. She reminded Ms. Gates that she needs to take action, or the Board of Health will have to take action.

Ms. Hansbury asked Ms. Gates if she currently had water at the 2 Desmond Avenue house, Ms. Gates replied no. Mr. Colarusso asked her to both turn on the water and to fix the access issues.

Mr. Colarusso made a motion to require that on or by Monday the water turn on is arranged. Ms. Hansbury suggested that unless the Board hears from a plumber to fix the plumbing and get the water turned on the Board of Health will file in court on Tuesday morning. Adding that access must also be addressed in that time frame. She felt that asking to hear from a plumber by Monday with a plan to finish work is reasonable. Ms. Cottler seconded Mr. Colarusso's motion. Members by roll call vote were unanimous to approve the motion:

Mr. Colarusso, in favor

Ms. Cottler, in favor

Ms. Peavey, in favor

Ms. Gates informed the Board that they always close the door to the house in the winter due to sand, etc. She said that there is a misunderstanding regarding access. Ms. Hansbury said that the access needs to be unblocked to provide 36" access that is unobstructed

8 Atwater Avenue, Manchester Athletic Club

Members reviewed septic system upgrade plans dated January 20, 2025 and revised on March 11, 2025 as presented by A.S.B. Engineering for the Manchester Athletic Club at 8 Atwater Avenue. Mr. Colarusso noted that the existing well on site would be decommissioned with proof of the same provided to the Board of Health office. He asked if members had any questions regarding the plan, there were none. Ms. Cottler made a motion to approve the septic upgrade plan last revised on March 11, 2025 as presented by A.S.B. Engineering for the Manchester Athletic Club located at 8 Atwater Avenue. Ms. Peavey 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

239 Summer Street, Dodge

Members reviewed septic system upgrade plans dated October 31, 2025 and revised on March 13, 2025 as presented by Hancock Engineering Associates for the Dodge property at 239 Summer Street. Members noted that the property has now been renumbered by the Town as 241 Summer Street. Mr. Colarusso asked members if they had any questions regarding the plan, there were none. Ms. Cottler made a motion to approve the septic upgrade plan last revised on March 13, 2025 as presented by Hancock Engineering Associates for the Dodge property located at 241 Summer Street (formerly 239 Summer Street). Ms. Peavey 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

Health Director's Report

Ms. Hansbury provided the following updates:

- 115 School Street

There has been some attempt at work to address housing violations. Reinspection will be completed next week. Senior Care has this on their radar. Mr. Colarusso asked if senior service help was available, Ms. Hansbury replied yes, adding that she will provide informational flyers to the occupant on Monday.

- 86 Summer Street
Complaint was filed regarding lack of heat and hot water. Inspection found the condominium has both heat and hot water.
- Food Inspections
All but three annual license holders have had food inspections
- Captain Dusty's Inspection Complaint
No further information is provided regarding the unknown person identifying themselves as an inspector at the site.
- Public Health Excellence Grant
Hopefully that grant will be awarded. Required 5-year self-assessment completed.
- Mass In Motion
Gloucester is the holder of the Mass in Motion grant. It has floundered and our Council on Aging has a lot of money to use. Gloucester will use a 3rd party to work on a coalition of four councils on aging.
- Safety Skills Training
There were no sign ups for the training so it did not happen, will try again in the fall – possibly offering the training on Wednesday half school days. Mr. Colarusso asked that the Athletic Director be included in the communications due to sports schedules.

Town Administrator Greg Federspiel

Mr. Federspiel met with the Board to discuss concerns about Town Hall restructuring. He shared that not much is being changed but that departments will be clustered to generate collaborations. Each cluster would have a facilitator/leader. Money has been parked in the Parks and Recreation Department on the recommendation of the Finance Committee. The council on Aging, Board of Health and Parks and Recreation will be clustered to change that the departments are flat. The clustering will not change that Ms. Hansbury is the Board of Health lead. Mr. Colarusso asked what the job of the cluster leader is. Mr. Federspiel replied that their goal will be to facilitate collaboration. He added that there is a request from the Finance Committee to have intergenerational goals. Also, there are no perfect matches for the clustering. Mr. Colarusso pointed out that the Board of Health had negotiated for years to get the current set up. He asked that the Town honor the existing agreement of the Memorandum of Understanding "MOU" between the Board of Health and the Select Board. He requested that any final plan be presented to the Board of Health for

review. It was agreed to set a date for the Board of Health to provide an update to the Select Board, possibly on April 22nd.

Mr. Colarusso reminded of the Select Board resistance to the 2020 restructuring stating that at times the Select Board does not appreciate the separation. He added that he did not want to encourage increased involvement by the Select Board and does not want orders versus suggestions coming from the Select Board. He felt that there was a back door attempt by the Select Board to influence the Board of Health, including issues of tobacco control and rodenticides, noting that all five Selectpersons signed the citizen petition to revoke the Board of Health recent generational ban on tobacco. He said he took that action as a bad signal.

Ms. Cottler said she had heard that the Board of Health was moving to the Masonic Hall. She shared that she thought it was a bad idea to have the Board of Health go to another building as it is too interconnected. Mr. Federspiel said it was only having a nursing office at the site for occasional use. Ms. Cottler said that employee morale can suffer greatly from clustering, that she was concerned about highly confidential information of the Board of Health. She added that she could see elder affairs and recreation but questioned the Board of Health reporting to another department. Mr. Colarusso said he had concerns about the efficiency following a reorganization. Mr. Federspiel replied that he did not want to fix things that were not broken. Ms. Cottler noted that the depth of items covered by the Board of Health is amazing and that the consultant report did not reflect that. Mr. Colarusso thanked Mr. Federspiel for the MOU, noting it has changed services provided to the Town. Ms. Hansbury suggested a meeting with Mr. Federspiel, the new Town Administrator, and the Select Board prior to June.

Minutes

Ms. Cottler made a motion to approve the minutes of March 13, 2025 with 2 minor corrections on page (6). Ms. Peavey seconded the motion.

At 10:03 a.m. Mr. Colarusso made a motion to adjourn the meeting. Ms. Peavey 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

Approved by the Board of Health on May 8, 2025

Manchester Board of Health

Meeting Minutes

Thursday, May 8, 2025 at 8:30 a.m.

Town Hall, Room #7 and by Zoom Link (MBTS platform 1)

Members present:

Peter Colarusso, Joan Cottler, Dr. Martin Hahn, Leah Peavey

Members absent:

None

Mr. Colarusso called the meeting to order at 8:33 a.m.

23 Old Neck Road, Cunningham

Members reviewed revised septic system plans for a home under construction at 23 Old Neck Road. Ms. Hansbury stated that the developer wanted to increase the design flow to a six bedroom flow, which was done by increasing the size of the proposed leach field. Dr. Hahn asked if the old tank had been removed, Ms. Hansbury confirmed it had and that the mid job change happens a lot. She added that there were no variances requested and the increase was supplied by adding 5 more feet to the leach lines. Dr. Hahn asked about the setback to the road. Ms. Hansbury said the 10' State setback had been met and that the State does not require a surveyor to confirm the setback.

Dr. Hahn made a motion to approve the revised plan dated 02/03/25 and last revised on 03/27/25. The motion was seconded by Ms. Cottler. Members by roll call vote were unanimous to approve the motion:

Mr. Colarusso, in favor

Ms. Cottler, in favor

Dr. Hahn, in favor

Ms. Peavey, in favor

Housing Updates:

Ms. Hansbury provided the following housing updates:

- 1.) 115 School Street
The occupant has hired a project manager to assist and is working with senior services as well. Some improvements have been made and as there were stages to be met by June 2nd, there is a re-inspection scheduled for that day.
- 2.) 2 Desmond Avenue
Housing court session is tomorrow morning to provide notice to the owners. There may be an administrative order to allow entrance with police to be present. There was notice provided to the owners, Ms. Hansbury confirmed it was served with proof provided. Ms. Peavey noted the 20 day allowance for the owners to

respond was provided and this was confirmed by Ms. Hansbury. Ms. Hansbury said the timeframe was fast due to the sanitary code as it relates to the matter of water supply. Ms. Cottler asked what will happen if the owners do not show up to court. Ms. Hansbury said receivership could result. Ms. Cottler questioned the owners taking action.

3.) 31 School Street

Dr. Hahn asked about the fence complaint received by the office. Ms. Hansbury said she had been to the house and there was no access to the side door, no answer at the door, and she found the fence had fallen on private property. Ms. Hansbury agreed to write a letter soon to the property owners. Mr. Colarusso asked if Ms. Hansbury would work with Building Inspector Paul Orlando if damage was found (such as termite damage). Ms. Hansbury said she has not had a good response from Mr. Orlando on the 2 Desmond Avenue property. She added that access is a problem, although there is one clear door there are also many trash barrels in the driveway. She reminded members that run down does not necessarily equal a sanitation issue.

4.) 101 Pleasant Street @ Greenbrier Road

Mr. Colarusso noted that past neighbor rodent complaints had gotten action. Ms. Hansbury said it is important to be respectful of property autonomy while also balancing public safety. She advised that duration, concentration and severity of factors need to be judged.

5.) 16 Highland Avenue, Wisner

Ms. Hansbury reported that the first contractor hired to connect the new garage to the existing septic system had failed the installer's exam and subsequently not taking her up on the option to retest or take a field test. Another contractor has come in and will need to take the installer's exam and field test to get licensed. There was a question of whether the pipe (connecting the existing system to the new garage) may have already been installed. Ms. Cottler expressed concern that any future failure could result in leaking on to abutting properties.

Food Updates:

Ms. Hansbury said she is busy with seasonal licensing and will visit seasonals after two more weeks.

1.) 2 Central Street, Oliva Enoteca

A new business under review, it is in the same space but different operation from Helen's Bottler Shop.

2.) The Grind at the Manchester Athletic Club

Ms. Hansbury gave permission to open the new café. She noted that the operator was responsive to her requests for cleaners and sanitizer set ups.

3.) Richdale's

The new owner/operator is open, doing well, and sandwiches are still being made

90 School Street, Asbestos Complaint

Inspection found dumpster on site was labeled and sealed. Mass DEP checked everything outside and found the items outside it had negative test results, while everything on the inside was positive.

Continued Updates:

1.) 7 Central Street

No asbestos survey was submitted nor is the contractor treating the building as if it has asbestos.

2.) 1-3 School Street

The day after 7 Central Street review, Ms. Hansbury found the same contractor did not have an asbestos survey for 1-3 School Street. The work was stopped and the next day started again. She added that no demolition permit had been issued to the contractor. Also that the State is in Town this week and will review the site. Work on Saturday was seen by a member of the Select Board. The State ordered work to stop and an EPA violation was also found. Ms. Hansbury said that the Building Inspector does not think it is necessary for him to enforce as building and zoning codes are his oversight requirements. Also that asbestos is directly enforced by the State and includes Federal rules.

Ms. Hansbury discussed the space between the State and local boots on the ground which included different departments. She is working towards Board of Health review on all of the permits and asking for Board of Health support. It was noted that it can be a liability for the Board of Health to enforce as it is not Board of Health regulated. Mr. Colarusso noted that it is property built before 1998 that has 80% asbestos. Ms. Cottler questioned which buildings and the status of each. Ms. Hansbury said that both 7 Central Street and 2 School Street have received her requests and have had State checks.

Ms. Cottler pointed out a Boston Globe article today regarding tobacco sales.

Ms. Hansbury said she will return to the Board with an asbestos policy for them to review. Ms. Peavey questioned on the time that would be allowed for a property owner to complete an asbestos survey. Ms. Hansbury said the surveys are not expensive. Mr. Colarusso replied that the remediation of asbestos is however expensive. Ms. Hansbury said it is the same with the lead law, noting that for same she can review only by invitation of the parent of a child under 6 years old. Mr. Colarusso questioned how both would apply to rental properties. Ms. Hansbury said that the Town has regulations only for short term rentals but no regular rental regulations. She said she is talking to the State about kids in houses that may have lead paint, trying to get clarification on regulations. Ms. Hansbury said she is getting her lead determinator certification in the fall and needs that standing to go into a property. Mr. Colarusso suggested hiring a private firm to go in. Ms. Hansbury said she is researching that with the State. Mr. Colarusso shared that the EPA workforce of 15,000 had been reduced to 5,800 as of May 9, 2025.

Ms. Hansbury asked members if they would schedule an additional Board of Health meeting to review septic system plans. Members agreed to add a meeting on May 15, 2025 at 8:30 a.m.

Mosquito Hearing set for May 22, 2025

Ms. Hansbury said there was discussion on not posting the hearing on a non Town community website. She added that both Mr. Federspiel and Ms. Marletta said not to post to that community site.

Household Hazardous Waste Day set for June 14, 2025

Ms. Lufkin reviewed plans for the upcoming household hazardous waste collection day. She shared that participation will be by registration only and residents who can not attend may be able to participate in other local events through a reciprocity program.

Manchester Addenda to Title 5

Ms. Hansbury asked members to read through the definitions section including the portion on room count. She noted it incorporates the 2010 Board of Health court decision, historical decisions, ADU guidance from DEP and issues run into recently. She called attention to the second to last paragraph addressing protected use ADU and it's one room count.

Dr. Hahn had questions on the addenda draft including the following:

Is the court decision worded to carry through?

Referencing areas above garages there is a lot of material in the list Ms. Hansbury sent. ADU is flexible on the garage question.

Members discussed the ADU requirements vs. finishing space above a garage.

They also discussed the listing of rooms and if they should keep everything on the list or keep some out. Mr. Colarusso suggested listing what is not a room instead of listing all rooms. Dr. Hahn wanted it clear and spelled out, less arbitrary in the future.

Kondelin Road, Gloucester

Ms. Hansbury said she was unable to attend the most recent Gloucester BOH hearing on the proposed trash facility on Kondelin Road in Gloucester. She will attend the May 12th hearing. Mr. Colarusso pointed out the 8 Manchester wells that are in the area of the proposal. Ms. Hansbury agreed adding

the connection to Wolf Trap Brook, the ocean and flats nearby. Ms. Hansbury showed members the waste site clean up information. There was discussion on that flow to the ocean, a nearby school bus stop, Ms. Hansbury's monitoring request, and possible vehicle monitoring and counting including the weight of facility vehicles on the roadways.

Minutes

Ms. Peavey made a motion to approve the minutes of April 10, 2025 as amended including:

Page 4 edit to "unknown person identifying themselves as an inspector"

Page 5 paragraph 2/3d line edit to "interconnected"

Ms. Cottler seconded the motion.

Members by roll call vote were unanimous to approve the motion:

Mr. Colarusso, in favor

Ms. Cottler, in favor

Dr. Hahn, in favor

Ms. Peavey, in favor

New Candidate for Board of Health

Members met with Board of Health candidate Donna Furse. Ms. Furse said she has lived in Town for 15 years, has been actively involved in local activities, is ServSafe food handler certified, is a nurse practitioner wanting to get involved in health matters. She noted she has less experience with septic systems but does have two systems on her property. Mr. Colarusso said that there is not always consensus within the building and that Ms. Furse should know that. She replied that she was flexible and had thick skin. Dr. Hahn described the work to keep the public aware and informed to get everyone healthier both individually and community wide. He noted there can be times of controversy. Ms. Cottler said members can disagree on matters. Ms. Furse was in favor of addressing asbestos and unprotected works by having a check box on building permits. DR. Hahn mentioned the lowering of PFAS levels by the EPA and shared the recent private well study written about in the Boston Globe which reported that 1/3 of 800 private wells tested were contaminated. He was hopeful that new technology was coming along to assist. Ms. Furse mentioned the new turf field at the middle and high school and noting its proximity to the Lincoln Street well. She added that she has an ill friend who is under treatment and next to one of the sites that possibly had asbestos. Mr. Colarusso asked Ms. Furse to think about how the Board can educate the Town on what the Board of Health does. He mentioned the brochure completed last year. There was discussion on Town involvement in Town meeting, the importance of educating residents, the difficulty in getting to the Tide newsletter on line and the small size of legal notices in the local paper. Ms. Furse said she was meeting with the Select Board on June 2, 2025.

Mr. Colarusso made comment on the matter of private mosquito spraying companies vs. treatment by Northeast Mass Mosquito Control District. All present discussed the advantage of service by the district.

Ms. Peavey informed members that when her term on the Board was up this spring she would reup for another term. Mr. Colarusso mentioned the allowance for a Board to reappoint a member at term in the absence of a replacement.

At 10:12 a.m. Dr. Hahn 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

Dr. Hahn, in favor

Ms. Peavey, in favor

As submitted,

Ellen D. Lufkin

Administrative Assistant

Approved by the Board of Health on June 12, 2025

Manchester Board of Health

Meeting Minutes

Thursday, May 22, 2025 at 6:00 p.m.

Town Hall, Room #5 and by Zoom Link (MBTS platform 3)

Members present:

Peter Colarusso
Joan Cottler
Dr. Martin Hahn
Leah Peavey

Members absent:

None

At 6:00 p.m. Mr. Colarusso called the meeting to order.

Mr. Colarusso spoke about the promotion of Northeast Massachusetts Mosquito Control District providing services to residents vs. residents hiring private mosquito companies.

Present from NEMMC were both Jennifer Sforza and Kimberly Foss.

Ms. Sforza greeted members and then introduced Ms. Foss to review the 2024 activity in Manchester.

Ms. Foss provided the following information for 2024:

- 42 service requests from 8 residents (up from 14 prior)
- 0 Board of Health requests
- 4 property inspection requests
- It was noted that abandoned property can also be inspected and larvacide if appropriate.
- 15 habitat inspections (Summer Street site larvicided)
- 18 property spray exclusions were received
- 700 catch basins treated with BT on July 16, 2024
- 8 tires collected
- It was noted that residents can make online requests for tire removal, larvaciding or spraying
- 26' of ditch maintenance by hand digging

Ms. Foss provided the following information for the start of the 2025 season:

- mosquito surveillance begins this week
- June 15th first samples will go to State lab for EEE and West Nile testing
- 4 greenhead boxes were put out in the Ocean Street marsh this week

Jennifer Sforza shared that Boards can request municipal fields be proactively sprayed. Ms. Peavey asked if Pine Street and Brook Street fields might be considered. Ms. Sforza said a discussion on Brook Street field would first need to be discussed with the School Department before NEMMC would review. The Board agreed to consider the options with other Town Departments including the schools, Parks and Recreation and DPW.

Francie Caudill of the Manchester Stream Team was present for this meeting. She was asked if the Stream Team supported the State (NEMMC) vs. commercial mosquito treatment companies. Ms. Caudill replied yes the Stream Team did support the Board. Ms. Sforza addressed Ms. Caudill and said that source reduction is important and she

asked Ms. Caudill if the Stream Team could help NEMMC identify standing water for removal. Ms. Caudill replied yes. Ms. Caudill asked if NEMMC would again be placing greenhead traps in the marsh on Ocean Street. Ms. Sforza replied yes that the traps were deployed on Monday. She added that NEMMC uses only BT and BTI for larviciding. Ms. Caudill replied yes and thanked her.

Dr. Hahn made a motion to approve the 2025 NEMMC mosquito control plans for 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
Dr. Hahn, in favor
Ms. Peavey, in favor

At 6:16 p.m. Mr. Colarusso made a motion to adjourn the meeting. Dr. Hahn seconded the motion. Members by roll call vote were unanimous to approve the motion.

Mr. Colarusso, in favor
Ms. Cottler, in favor
Dr. Hahn, in favor
Ms. Peavey, in favor

As submitted,

Ellen D. Lufkin
Administrative Assistant

Approved by the Board of Health on June 12, 2025