

**Board of Health Minutes**  
**Monday, January 7, 2019 5:30 PM**  
Meeting Room C, Town Hall  
25 Green Street, Ipswich, MA

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

**Members attending:** Susan C. Hubbard and Dr. Susan Boreri were in attendance. Margaret McDermott was not in attendance.

**Others in attendance:** Director of Public Health; Colleen Fermon, Charles Johnson, P.E., Bruce McFarland and John Stelling.

**Citizens Queries:** None.

**Minutes:** The December 17, 2018 minutes were not ready for approval.

**Hearings:**

**5:32 – Theresa R. Shelzi Irrevocable Trust – 56 North Ridge Road – Represented by C.G. Johnson Engineering, Inc. – Extension of the use of Soil Testing Results**

Charles Johnson, P.E., presented, and the Board conducted a hearing to consider a variance from Ipswich Board of Health Septic System Regulations 8.9; which states that soil testing conducted for new construction or upgrades shall be valid for two (2) years from the date of testing. Soil testing was conducted on August 20, 2003. Mr. Johnson requested a variance to extend the validity of the testing results until December 31, 2019. Previously, two extensions were granted and the last one was until December 31, 2017.

At the meeting, Mr. Johnson explained that the property is served by a seasonal tight tank. The soil testing conducted on August 20, 2003 confirmed a septic system could be installed. The owner would like to use this soil testing to develop a new septic system design to utilize the property year round. Mr. Johnson stated that additional testing was also conducted on November 24, 2017. The property is currently vacant.

Susan Hubbard made a motion to grant a variance and extend the use of the soil testing results conducted on August 20, 2003 until December 31, 2019 with the condition that this is the last extension that will be granted for the 2003 testing results. Dr. Borereri seconded the motion. The motion passed unanimously.

**5:35 – Thomas H. Woolfolk, Jr. – 94 Town Farm Road – Failure to Comply with Order for a Title 5 Inspection**

The hearing was withdrawn by Mr. Woolfolk prior to the Board of Health meeting. A Title 5 inspection report dated January 5, 2019 was submitted to the Public Health office on January 7, 2019.

**5:35 - John Stelling – 18 Bunker Hill Road – Title 5 Inspection Variance**

John Stelling 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 Mr. Stelline proposed an increase in the footprint of the dwelling to allow for the addition of a garage and mudroom on the first floor with a 2 car garage below. He requested the variance since the existing system was inspected on July 2, 2010 and April 30, 2011 and the system passed inspection both times. There is no increase in bedrooms proposed.

Dr. Boreri made a motion to grant the variance and not require the Title 5 inspection for the proposed addition since the system was inspected on July 2, 2010 and April 30, 2011 and the system passed inspection both times. Susan Hubbard seconded the motion. The motion passed unanimously.

#### **5:40 – Bradford Lestage – 172 County Road – Represented by Bruce McFarland – Title 5 Inspection Variance**

The owner's representative, Bruce McFarland, was present 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, Mr. McFarland proposed an increase in the footprint of the dwelling to allow for the addition of a family room and an expansion of the front entrance. He requested the variance since the existing system was installed on November 19, 1998. Additionally, pumping occurred on October 17, 2002, June 28, 2007, and March 28, 2014 and no problems with the septic system were reported at those times. He said the system was also checked in the past 90 days. There is no increase in bedrooms proposed.

Susan Hubbard made a motion to grant the variance and not require the Title 5 inspection for the proposed alterations with the condition that the 2018 pumping report is provided to the Public Health Office. Dr. Boreri seconded the motion. The motion passed unanimously.

#### **5:45 - Report of the Health Agent:**

**145 Town Farm Road:** At the October 2, 2017 Board of Health meeting, it was the decision of the Board of Health to allow the owner to operate the Outdoor Hydronic Heater sited on the property until May 15, 2018. A new Outdoor Hydronic Heater or other heating system was to be installed to serve the dwelling and the existing Outdoor Hydronic Heater must be removed from the site prior to October 1, 2018. It was the responsibility of the owner to notify the Public Health Office once the Outdoor Hydronic Heater had been removed. On December 21, 2018, a plain view inspection was conducted and the Outdoor Hydronic Heater was still on site. The owner will be required to attend the February 4, 2019 Board of Health meeting to discuss the sited Outdoor Hydronic Heater.

**Environmental Tobacco Regulation:** Ms. Fermon asked if the Board wanted to review model regulations that reflect updates in the state regulation with Joyce Redford, Director of the North Shore/Cape Ann Tobacco Policy Program. The Board decided on the February meeting. Ms. Fermon will provide copies of the existing and model Environmental Tobacco Regulation for the Board to review with Joyce Redford at the February 4, 2019 Board of Health meeting.

**Agresource:** The Board directed Ms. Fermon to review the application submitted by Agresource to the Massachusetts Department of Environmental Protection for an Approval of Sustainability for a Type 1 Biosolids product from the Ipswich Compost Facility located at Town Farm Road. Ms. Fermon can respond to the Massachusetts Department of Environmental Protection. The Board supported concurrence.

**Budget:** Ms. Fermon will be reviewing the Public Health Department budget on January 30, 2019 with the Select Board and January 31, 2019 with the Finance Committee. The budget is level funded but more money is being provided to the part time inspector and nurse and less money to consultants.

**Next Board Meetings:** The next meetings of the Board of Health were scheduled for February 4, 2019, March 11, 2019 and April 1, 2019 at 5:30 PM.

**Adjourn:** Susan Hubbard made the motion to adjourn at 6:00 PM. Susan Boreri seconded the motion. The motion to adjourn passed unanimously.

Documents used at the January 7, 2019 Board of Health meeting:

- 310 CMR 15.000, Title 5.
- Ipswich Board of Health Septic System Regulations.
- Septic System Design Plan for 56 North Ridge Road.
- April 30, 2018 Title 5 Inspection for 18 Bunker Hill Road.
- Pumping records dated October 17, 2002, June 28, 2007 and March 28, 2017 for 172 County Road.
- Certificate of Compliance dated November 19, 2018 for 172 County Road.

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Susan C. Hubbard, Chairperson

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Dr. Susan Boreri, Board Member