

Board of Health Minutes
Monday, June 1, 2020 5:30 PM
Zoom Meeting
25 Green Street, Ipswich, MA

The Board of Health participated in this meeting remotely utilizing Zoom in accordance with the Governor's March 12 Order suspending provisions of Open Meeting Law and to promote public health and social distancing.

Call to Order: Susan Hubbard called the meeting to order at 5:32 PM.

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

Others in attendance: Director of Public Health; Colleen Fermon, Health Inspector, John Morris, Administrative Assistant, Jennifer Brown, Charles Johnson, P.E., David Clark and Gerard McDonald.

Citizens Queries: None.

Minutes: Dr. Boreri made a motion to approve the May 11, 2020 minutes. Amanda Donovan seconded the motion. The motion passed unanimously.

Hearings:

5:34 - David and Cheryl Clark – 17 Mile Lane – Represented by C.G. Johnson Engineering, Inc. – Soil Testing Variances

Chares Johnson, P.E., and David Clark presented, and a request for variances from Ipswich Board of Health Septic System Regulations 8.9 and 8.10 were discussed. Ipswich Board of Health Septic System Regulations 8.9 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 June 9, 1999. Ipswich Board of Health Septic System Regulations 8.10 states that an extension of the soil testing results may be granted by the Board of Health beyond the two years provided a request for said extension is submitted in writing to the Board before the results have expired. A request for an extension was received on May 20, 2020.

At the meeting, Mr. Johnson explained that extensive soil testing was conducted in 1999. Three (3) deep holes and three (3) percolation tests in different horizons were completed. The owner is now voluntarily upgrading their septic system and would like to utilize the soil testing conducted in June 9, 1999 for the design. Mr. Johnson confirmed that no changes have been made to the site since the date of soil testing.

Susan Hubbard questioned why the soil tests were not utilized previously. She explained that requests are typically submitted in writing before the testing results expire. These results are almost 21 years old. Mr. Johnson said he was approached by the owner last year. Susan Hubbard questioned, is there a hardship? Mr. Johnson said there is no hardship, the owners are voluntarily upgrading the system since they are getting older. Mr. Clark stated that upgrading the septic system was simply postponed until now.

Susan Hubbard asked Colleen Fermon for her thoughts. Ms. Fermon said historically, when a variance is granted after many years it is granted due to the property being in land court or is due to a legal situation that needs to be resolved through the court system. Additionally, there needs to be some rationale for requesting the variance. Ms. Fermon said the Board could also choose to allow confirmatory testing.

The Board reviewed the June 9, 1999 testing results and discussed the variance requests. Susan Hubbard made a motion to deny both variance requests since the testing results are almost 21 years old and manifest injustice was not proven. Dr. Boreri seconded the motion.

Susan Hubbard made a motion that one test pit and one perc test must be conducted and if the results confirm the previous findings, the June 9, 1999 test results can be used for the upgrade design along with the new testing results. Dr. Boreri seconded the motion. The motion passed unanimously.

5:50 - Estate of Bruce F. Paul – 42 Labor-In-Vain Road – Represented by H.L. Graham Associates, Inc.– Septic System Design Variance

Gerard McDonald, P.E., presented and a hearing was conducted to consider a variance from Title 5 for a sewage disposal system plan # 20-2022 designed by Gerard McDonald, P.E., dated February 28, 2020 and last revised May 12, 2020 for the 5 bedroom dwelling located at 42 Labor–In-Vain Road, Ipswich, Massachusetts.

Mr. Graham explained that the dwelling is an older home with 2 separate sewage disposal systems and 3 different building sewers serving the dwelling. This is a voluntary upgrade of the existing system.

Mr. Graham will utilize the 3 existing sewer lines and re-route them to the upgraded system. He proposed a system that will include a 2,000 gallon monolithic, 2 compartment tank for the upgrade and requested a variance to allow a 1 foot reduction in the separation between the bottom of the leaching area and Estimated Seasonal High Groundwater (ESHGW). A 3 foot separation is provided.

The Board members reviewed the sewage disposal system. Susan Hubbard asked Colleen Fermon for her thoughts. Ms. Fermon recommended granting the variance as requested with the condition that an Ipswich licensed installer come to the Public Health Office prior to beginning the project to complete the application and submit a trench permit application signed by the owner and the \$50 trench permit fee. The installer will receive the disposal system construction permit, the trench permit and a signed copy of the approved plan.

Amanda Donovan made a motion to approve the variance as requested with the condition outlined by Colleen Fermon. Dr. Boreri seconded the motion. The motion passed unanimously.

5:55 - Director of Public Health Report:

COVID-19 Case Update: There have been 66 COVID-19 cases in Ipswich. 6 people are still in isolation. Ipswich had fewer COVID-19 cases reported per week in May than in April.

Ms. Fermon explained that Ipswich will see the impact of Phase 1 as people return to work. There will be challenges with each phase since more contacts will be involved with each positive COVID-19 test unless social distancing is adhered to.

Staffing Updates: Four nurses were assisting with COVID-19 case investigations to contain the spread of COVID-19 in Ipswich. Paula Butt has left due to other commitments. The remaining nurses will continue as long as they are available but The Public Health Department has also connected with Partners in Health's Contact Tracing Collaborative to do case investigations and contact tracing.

Richard Berube has been hired to assist with COVID-19 guidance, inquiries, and complaint investigation. He will begin on June 3, 2020.

Mandatory Workplace Safety Standards and Sector Specific Protocols and Best Practices: The Public Health Department has been focused on providing guidance on Mandatory Workplace Safety Standards as well as Sector Specific Guidance for local businesses. The Public Health Department is reaching out to each sector. Currently, emails have been sent to Food Operators, Lodging, and Places of Worship, and Beaches outlining the sector specific guidance.

Tobacco: Beginning June 1, 2020, the sale of flavored combustible cigarettes and other tobacco products, including menthol cigarettes and flavored chewing tobacco, will be restricted to licensed smoking bars where they may be sold only for on-site consumption. Ipswich has no smoking bars or adult only stores. Compliance checks will begin in mid-June 2020.

NEMMC: Traps and catch basins treatments are in place for the 2020 mosquito season.

Next Board Meetings: The next meetings of the Board of Health were scheduled for July 13, 2020, August 3, 2020, September 14, 2020, and October 5, 2020 at 5:30 PM.

Adjourn: Susan Hubbard made the motion to adjourn at 6:09 PM. Dr. Boreri seconded the motion. The motion to adjourn passed unanimously.

Documents used at the June 1, 2020 Board of Health meeting:

- May 11, 2020 Minutes.
- Sewage Disposal System Plan for 42 Labor-In-Vain Road.
- Soil logs for 17 Mile Lane dated June 9, 1999.
- May 19, 2020 letter from Charles Johnson, P.E., requesting a variance for soil testing.
- Ipswich Board of Health Septic System Regulations.

Susan C. Hubbard, Chairperson

Dr. Susan Boreri, Board Member

Amanda Donovan, Board Member