

**CITY OF GLOUCESTER
Board of Health
Minutes of the Meeting
February 2, 2017
5:30 p.m.
City Hall Annex
3 Pond Road
Gloucester, MA 01930**

Board members present: Chairperson: Dr. Richard Sagall; Vice–Chairperson: Robert Harris; Frederick Cowan; Joe Rosa; and Claudia Schweitzer. Present from the Health Department: Health Director: Karin Carroll; and Assistant Director: Max Schenk.

This meeting is being recorded by audio in accordance with State Open Meeting Law.

PUBLIC ORAL COMMUNICATION

There was no “Public Oral Communication”.

APPROVAL OF MINUTES

MOTION by Ms. Schweitzer to approve the Gloucester Board of Health minutes of the meeting of January 5th, 2017 as written. **Seconded** by Mr. Rosa. **CARRIED**. Mr. Cowan **abstained**.

MOTION by Mr. Harris to approve the Gloucester Board of Health Septic Review Subcommittee minutes of the meeting of January 23rd, 2017 as written. **Seconded** by Mr. Rosa. **CARRIED**. Mr. Cowan **abstained**.

STANDING COMMITTEE REPORTS

10 Point Road (Map 256, Parcel 8) **Sal & Nancy Vigorito**, property owner represented by Gateway Consultants-

Proposal two add two additional tight tanks within 100 feet of a coastal bank – variance to 310 CMR 15.211 (1)

Mr. Schenk stated that at the January 23, 2017 meeting of the Septic Review Subcommittee, 10 Point Road was reviewed and the request for additional tight tanks on the property was discussed. He stated that the recommendation of the Septic Review Subcommittee was to approve the request for the additional tight tanks.

MOTION by Mr. Rosa that the Gloucester Board of Health approve the requested variance for 10 Point Road as written in the agenda of February 2, 2017. **Seconded** by Mr. Harris. **CARRIED**

650R Essex Avenue (Map 238/ Lot 6), **Richard Hersey**, property owner, Seaside Legal Solutions, Representatives-

Per Gloucester City Code of Ordinances Chapter 23-42 (H)(2) review and recommendation to be provided to the City Council for request of an amendment to the Ward 5-2 Wastewater District Map

Mr. Schenk stated that the City Ordinance Chapter 23-42 (H)(2) states that the Board of Health is asked to review and provide a recommendation to the City Council in regards to any changes to the Wastewater District Map. He stated that the proponents are asking to have their property added to the map. He stated in order to meet criteria A there would have to be some indication that the property itself did not have the soils to have a on-site wastewater system. He stated subsection F states that the Board of Health has to determine if the proposed sewer extension is necessary to address existing water pollution problems or public health threats and has provided the rationale for such determination to City Council. He stated that there is not currently, for this existing lot, an existing wastewater issue.

Joel Favazza, attorney for Seaside Legal Solutions, of 111 Main Street appeared before the board on behalf of the owner of 650R Essex Avenue. He stated that they believe that their issue stands behind a mapping error. He stated that the back end of the sewer district comes through the entire corridor of Essex Avenue and back side of this district is either rear property lines or natural water features, then you get to Mr. Hersey's property which has a little pinch point in it and the line skips across the pinch point rather than tracing out the entire back portion of the property. He stated that they think that that was an innocent mistake made in the mapping process. He stated that he cannot find a single property that fronts on Essex Avenue that the entirety of which is not in the sewer district unless it is owned by the City of Gloucester or owned by Greenbelt. He stated that the closest he found was one private property on Essex Avenue where the line cuts across the middle of the property and the back side of that property is in the R80 zoning district and that was left out of the sewer district which is different from this property since their parcel is classified as R10. He shared a letter addressed to the previous owner from the City Engineer stating that the City recognizes that the intent is to develop this property in the future and instead of the typical 6" sewer stub an 8" stub should be placed at this property so it can be developed. He stated that there is an inherent risk to public health or pollution even though there are not existing conditions.

Chairperson Sagall asked who pays to run the pipe down the property and how old are the systems on the neighboring properties. *Mr. Favazza* responded that he does not know how old the systems are on the neighboring properties and Mr. Hersey would be responsible for all costs in bringing the line down the property.

Ms. Schweitzer stated that she was surprised to learn that Mr. Hersey was paying the sewer assessment bill.

Chairperson Sagall asked if Mr. Hersey knew about the sewer connection issue when he bought the property. *Mr. Favazza* responded that Mr. Hersey bought the property thinking he would be able to tie into the sewer; the title showed a betterment and he knew there was an 8" line out front. He stated that the Sewer District Ordinance passed in 2001 has never been added to the master City Code of Ordinances that you find online or at the Clerk's Office, so there is only one hard copy of the map which they had to search through the City Hall Annex to find.

Richard Hersey of 652 Essex Avenue appeared before the board. He stated that half of his property is in the district and there is a clause in the ordinance that says you are in or you are out.

Chairperson Sagall asked if there was anyone in the audience wishing to speak for or against the item.

Joel Swan of 648 Essex Avenue appeared before the board in opposition. He stated that he is an abutter to the property. He stated that there are other properties with similar situations in the area, one on Keystone and one in the 530 range, so he doesn't think this is an error. He stated that the part of the Daylor study's mission was to preserve the character of the neighborhood and to minimize secondary growth which happens when you put in a centralized sewer system. He stated that there is no problem with the septic in that area right now.

The board agreed to draft a letter stating that they have no prejudicial opinion on the proposed only to say that it does not meet the criteria listed in the ordinance

MOTION by Mr. Cowan that the Gloucester Board of Health approve the recommendation of the Septic Review Subcommittee with the language to be in the letter stating that the proposed does not meet the criteria as listed in the ordinance however the board does not have any other prejudicial opinion in this matter. **Seconded** by Ms. Schweitzer. **CARRIED**.

NEW BUSINESS

Vote for Board of Health Chair and Vice-Chair-

MOTION by Mr. Cowan to nominate Rich Sagall as Chairperson for the Gloucester Board of Health. **Seconded** by Mr. Rosa. **CARRIED**.

Claudia Schweitzer for Rich Sagall
Rob Harris for Rich Sagall
Joe Rosa for Rich Sagall
Rich Sagall for Rich Sagall
Fred Cowan for Rich Sagall

Chairperson Sagall accepted the nomination as Chairperson for the Gloucester Board of Health.

MOTION by Mr. Rosa to nominate Rob Harris as Vice-Chairperson for the Gloucester Board of Health. **Seconded** by Ms. Schweitzer. **CARRIED**.

Claudia Schweitzer for Rob Harris
Rob Harris for Rob Harris
Joe Rosa for Rob Harris
Rich Sagall for Rob Harris
Fred Cowan for Rich Sagall

Rob Harris accepted the nomination as Vice-Chairperson for the Gloucester Board of Health.

OLD BUSINESS

Update on 1 Pilot's Hill Condemnation Order-

Mr. Schenk stated that the Health Department has been working with Mr. Aro, the owner of 1 Pilot's Hill. He stated that the water and sewer are reconnected and Mr. Aro is still working on getting the exterior of the home cleaned up. He stated that Mr. Aro is waiting for National Grid to complete the gas connection. He stated that Mr. Costonis has been consistently checking on the property to ensure that Mr. Aro is not living in the dwelling.

MONTHLY REPORTS

Presented by Karin Carroll & Max Schenk

The following "Monthly Report" to Board members.

[Monthly Report](#)

Ms. Carroll stated that under the Public Health Nurse's Report items that have less than 5 cases will now be listed a less than five due to confidentiality issues. She stated that influenza cases jumped to 12 reported cases which is typical for this time of year. She stated that vaccines are still available by appointment at the Health Department.

Ms. Carroll stated that they added a section titled "Interdepartmental - City-wide Issues". She stated that the lead in the drinking water issue is under this section. She stated that the City has taken a number of steps to remedy the issue and all of the fixtures in the school have been replaced (or will be soon) and filters have been replaced in all the drinking fountains. She stated that she has requested that a small task force be formed to address the issue. *Mr. Schenk* stated that landlords cannot be mandated to test for lead, however if a tenant does their own test and the test shows the presence of lead in the water, then the Health Department could enforce some type of remediation at that point. *Chairperson Sagall* stated that a lead test can be done for approximately \$25.

Ms. Carroll stated that there is a city-wide recreational marijuana task force that she sits on. She stated that she attended an excellent session in Canton around the issue. She stated that Essex

is having a forum on the issue next week. The board discussed the issues around recreational marijuana.

Ms. Carroll stated that three defibrillators have been purchased for the City. She stated that they will be placed at City Hall, the City Hall Annex, and the Rose Baker Senior Center. She stated that there is already one at DPW and they are hoping to purchase a couple more.

The board discussed the draft copy of the strategic plan. *Mr. Rosa* stated that the Health Department and Board of Health value social justice and that should be highlighted in the document.

CONCERNS OF BOARD MEMBERS

Department Celebration- The board discussed the Department Celebration.

Evaluating Information- *Chairperson Sagall* stated that he was thinking of writing a letter around evaluating information.

Next Regular Monthly Meeting Board of Health- The next Board of Health monthly meeting will be on March 2, 2017 at the CATA Training Room at 5:30 p.m.

MOTION by Mr. Harris to adjourn.
Seconded by Mr. Rosa. **CARRIED.**
MEETING ADJOURNED – 6:54 p.m.

Respectfully submitted,

Bobbi Orlando

Accepted by:

Richard Sagall, Chairperson

Documents Referenced:
February 2, 2017 Board of Health Agenda
January 5, 2017 Board of Health Minutes
February 2017 Monthly Department Reports