

Manchester Board of Health

Meeting Minutes

Thursday, February 27, 2025

Town Hall Room #7 and Virtual by Zoom Link

Members present:

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

Members absent:

None

At 8:31 a.m. Mr. Colarusso called the meeting to order.

Health Director's Report:

Health Director Wendy Hansbury provided the following updates to the Board:

- 2 septic plans are pending revisions
- Plum Hill applicant was given a determination after the last B.O.H. meeting
- 2 septic plans are pending review
 - Atwater Avenue plan is for backwash of pool as the pool is excluded from a septic system with household sanitary waste. The plan is also missing information. Mr. Colarusso asked if Cell Signaling is the owner of the M.A.C., Ms. Hansbury replied the application address is the same. Mr. Colarusso said that when dropping his grandchildren at the site, there have been loads of complaints about the club. Ms. Hansbury said the club is leased to a different company and that she is addressing complaints about food, the hot tub, and the pool. Mr. Colarusso was concerned about the condition of the locker rooms on the site.
- The 23 Old Neck Road plan has not been reviewed
- 73-75 Harbor Street information requested from the B.O.H. meeting was not in the plan submittal.
- Ms. Hansbury mentioned the plan dates and that her conversation with Ms. Lufkin about the movement of plans through the office. She said the plans are on the top of her list and she will be reviewing both Harbor Street and Atwater Avenue plans this afternoon.
- Black Earth Compost 2024 Materials Annual Report
 - The previous site on School Street requires cleanup to mitigate seagull issues. There are no issues reported at the new Pine Street site as it has a covered work area.
- Non-housing complaints included those about the pool at the M.A.C. Ms. Hansbury has requested the operator submit weekly reports, test the water 4 x a day and change the hot tub water every two weeks. Ms. Hansbury said there had been a frequent staff turnover including 3 maintenance people. Coagulating minerals in the water was solved with frequent vacuuming and chemical additives. A new certified pool operator started in November. Ms. Hansbury will be wanting a walkthrough before the summer openings. There is no summer camp at the M.A.C. currently.

Public Comment

Emily Baluta of Summer Street asked the Board if they would be reviewing the Plum Hill Road plan that is on the agenda. Ms. Hansbury said she was providing the Board with an update only. Also, she was waiting for additional plan information from the design engineer. Dr. Hahn said the plan review may be on the next B.O.H. agenda. Ms. Hansbury said the design engineer will be informed when the plan review is on the B.O.H. agenda.

Cindy MacDougall of Summer Street asked why the plan is listed as Plum Hill Road instead of Summer Street which she believes contributes to confusion. Mr. Colarusso and Ms. Hansbury said the application was submitted with the Plum Street address.

Health Director's Report (continued):

Housing Complaints

Ms. Hansbury informed the members that she thinks Manchester has a lot of housing complaints for the size of the Town. Housing complaints have been submitted for the Manchester Housing Authority property and another at the Powder House Lane apartments. She will be meeting today with Irene from the Manchester Housing Authority following her Tuesday inspection of their property, including a smoking and air quality check at The Plains. She has requested the resident who file the complaint provide more specific information and documentation. Mr. Colarusso and Ms. Cottler asked why the housing authority is not addressing the problem. Ms. Hansbury replied that the authority has said that they do not see a problem and residents are not supposed to be smoking in the building or in the common areas. She added that the most she can do is to help determine if there is a problem in the common areas. Mr. Colarusso said if smoking is shown to be a problem the Board will go to the Manchester Housing Authority and tell them to address, adding the Board is not the solution but can provide direction. Ms. Peavey asked how sensitive the testing equipment is. Ms. Hansbury replied that it measures 2.5 ppm, CO2 and formaldehyde. Mr. Colarusso said the level is secondary as there is only the need to prove there is pollution.

2 Desmond Avenue, Gates

Ms. Hansbury asked members if they had reviewed the draft letter she had sent to them. Members directed Ms. Hansbury to send out the letter to 2 Desmond Ave. Ms. Hansbury said that the Assessor's Office, as part of an abatement application, went to the site for an inspection and were denied access resulting in denial of the abatement. Mr. Colarusso said if the resident is not cooperating then members should think about the lack of response and possible options. Ms. Hansbury noted the dwelling is without water and has roof issues with no work done under the May building permit. The owners had in December informed the Board that they would be living in another building, traveling late winter into spring, and in June their son would provide an update on winter roof activity, water access and wall repairs. Mr. Colarusso asked if occupancy was contingent on compliance by June. Ms. Hansbury said there was no requirement to complete work by a certain date. Dr. Hahn said that without the Florida leave the agreement was violated. Ms. Peavey asked if they were living in the dwelling. Ms. Hansbury said the Board cannot discuss it without the property owners. She suggested that with the Gates in attendance the Board could consider the following options: 1.) order to comply within 30 days under the State Sanitary Code 2.) pursue statutory process of condemning the property 3.) request an administrative warrant to enter the house to check for habitability 4.) sign and notarize an agreement document

It was noted that a time frame for repairs is missing even though a June check-in was planned. Mr. Colarusso suggested that on March 11th the Board could say they have 30 days to begin work and if it is not started the Board can begin the process of declaring the property non-habitable. Ms. Cottler said you cannot live in the property without potable water. Mr. Colarusso repeated 30 days to fix or board up the property. Ms. Hansbury pointed out that it was unless they do not occupy the property. She was concerned about the difference between the water being turned on and the water being able to be used as those are two different things. She noted that the water department would need to access the indoor meter. If Ms. Hansbury is to inspect the property, she said she will bring a police officer with her.

Mr. Colarusso identified the final step for 2 Desmond Avenue as an internal inspection of the property. Ms. Hansbury suggested a meeting time after 30 days. Mr. Colarusso concurred with a 30-day notice for repairs with proof of start and completion or full inspection. Ms. Hansbury suggested just saying that the dwelling must be proven to be habitable.

Title 5

Ms. Hansbury shared that an almost abutter has complained that there is no access to the road or access easement for the new lot at 2 Orchard Lane for which the Board had approved a septic system design plan. The lot had not been split and without the split the owner could not grant an easement to themselves. The abutter said it is possible that there is no permission for use or access to the private road. Ms. Hansbury will not issue the permit for the installation of the new septic system without having proof of access. Dr. Hahn asked if the site was misrepresented to the Board of Health. Ms. Hansbury could not confirm, but did say that the Planning Board was shown frontage on Forster Road. She added that she did not know that the road was private or that there were private agreements. Dr. Hahn said the Board can only approve the design plan while access concerns are with the Zoning Board or Planning Board. Ms. Hansbury said it is within this Boards rights to require that the applicant show they have access to the private way. Ms. Cottler said there is already a house on that private way and off a private road (Forster). She added that the house on the corner of Orchard Lane is a mess. All agreed that the new lot had been

created and approved by the Planning Board. Ms. Hansbury said she contacted the Town Planner regarding this specific property. She will put a letter in the file saying that no installation will be allowed without the site access having been addressed. She told the Board that they have approved a septic design plan that she cannot now permit for installation.

D.P.H. Cancer Reporting Portal

Members discussed Mass D.P.H. Cancer Reporting Portal information forwarded to them by Ms. Hansbury. Dr. Hahn felt that the reporting was over what he expected.

He suggested start of an education campaign on melanoma. He noted that for Mesothelioma there is a 15–20-year lag time after asbestos exposure and that Multiple Myeloma also has a long lag time after chemical exposure. He requested that the report be placed on the Board of Health website, including an added paragraph on sun protection. Ms. Cottler suggested putting melanoma information and signage at the town beaches. Dr. Hahn suggested going to the D.P.H. website for sample wording for the added paragraph.

Food Inspections

Ms. Hansbury reports that she is starting food inspections for alignment with the Foundations. She will have a facilities review and a process review with the managers to look at building and equipment issues (i.e. clean corners, equipment, screens, etc.) Mr. Colarusso asked if the inspections would be done while the establishments are open, Ms. Hansbury replied yes but added that some will be preopening during food preparations.

Other Updates:

- Mass D.P.H. has advised that they will work to overcome any shortfalls that result from cuts in federal funding.
- Naloxone training will be held on March 24 and April 11 at the middle and high school. The Manchester Fire Department will provide additional training with assistance from two other departments. Ms. Hansbury said she is hoping to make a case for schools to build the Naloxone training into their curriculum.
Mr. Colarusso asked if the training would be advertised. Ms. Hansbury said the schools would be handling notices and participation permission slips. The Youth Prevention Network and Amanda Rumble from the MERSD staff are putting together related activities and flyers.
- Ms. Hansbury went to the Regional Youth Prevention Network meeting yesterday. She said they are doing good things and hoping they will put together a spreadsheet of activities. Also, the Gloucester group is putting together alcohol information.
- Ms. Hansbury asked if one of the board members wanted to be the third person on the emergency notification system as the Coalition wants a third person added to the system. She noted that notifications had been to Nurse Crehan and Ms. Lufkin prior and were currently to Ms. Hansbury and Nurse Crehan.
- Coalition Meeting on March 5th to work on emergency response and integration, including with Police Chief Todd Fitzgeralds emergency management plan. Ms. Hansbury, Ms. Lufkin, Police Chief Fitzgerald, and Fire Chief McNeilly will attend the meeting.
- Coalition will be supplying new sign boards and walkie talkies to the Board of Health. Coalition has recommended that member communities look at how to pay for existing electronics that are currently paid for by the coalition using federal funds. This board has two cell phones and two iPads that were purchased with coalition funds with monthly operating charges also paid for by the coalition. Mr. Colarusso said he was willing to go to the Finance Committee if needed to get the funding. Members discussed existing town funding for the Board of Health and will review any State funding received by the office.
- Drought alert reduced to critical but still 3+ inches below normal.

Minutes

Leah Peavey made a motion to approve the minutes of February 13, 2025 as presented. 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

Board of Health Membership

Mr. Colarusso asked fellow members to come up with a plan for securing an additional board of health member to fill the vacant fifth seat. Mr. Colarusso said his 6th year of service will be up in June, with Ms. Cottler and Dr. Hahn off the board in 2026. He noted that the Town website and Manchester Cricket had already had notices regarding the vacancy. He asked all members to consider how to fill the vacant board seat.

At 9:36 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 March 13, 2025