



Town Of Newbury

Office of
Board of Health
25 High Road
Newbury, Mass. 01951

BOARD OF HEALTH MEETING
July 8, 2021

Chair Steve Fram opened the meeting at 2:00 p.m. Present were Elaine Byrne, Alba Gouldthorpe, Health Director Deborah Rogers, and Health Inspector Virginia Bacon.

182 HIGH ROAD – Robert Grasso from Engineering Land Services requested the following variances for the property located at 182 High Road. 1.) Reduction in groundwater separation to bottom of leach area from 4' required to 2' provided with Presby System. 2.) Percolation Test required in proposed Soil absorption system area to send to soil lab analysis. 3.) Soil Absorption system setback from wetlands (B.V.W.) from 50' to 20' provided with Enviro-Septic treatment. 4.) S.A.S. setback to cellar wall from 20' required to 17' provided with 40MIL Poly-Liner. 5.) Tank setback to cellar wall from 10' required to 5' provided with Monolithic Tank. It was moved by Alba Gouldthorpe to approve the variances pending conservation commission approval; it was seconded by Elaine Byrne and voted unanimously.

156 Middle Road – Health Director, Deb Rogers explained to the Board the proposed septic system plan was approved as designed with the existing septic tank remaining, keeping the tank in series. The septic system was installed as designed. The private drinking well is approximately 40' from the existing septic tank. The Buyer Michael Gauthier approached the Board and voiced his concerns with the existing septic tank not being removed/disconnected. Health Director Deb Rogers recommend she reach out to MA DEP to confirm the existing septic tank is allowed to continue to be used in accordance with MA Title 5. Motion was made by Elaine Byrne to table until MA DEP replies. If MA DEP confirms the existing tank is allowed to remain in use, then it would be up to the new owner to remove or fill it in if they decide they do not want to continue to use it. The C.O.C. will not be signed until MA DEP confirms the existing tank can continue to be used; it was seconded by Alba Gouldthorpe and voted unanimously.

Health Directors Report: Infiltrator systems are clogging and failing prematurely, several in town and surrounding towns are failing within 5 years. Designers and Septic Installers are refusing to install or design. Deb Rogers

asked the Board for permission to talk with the Town Attorney to see if the Town of Newbury can band leach fields designed with plastic chambers in the Town of Newbury. The Board agreed to allow Deb to speak with Town Counsel and report back to the Board.

Body Art – A business wants to start a Body Art Studio in the Town of Newbury, in an existing Doctor's Office Building. The Body Art Studio is seeking approval of a Body Art Permit to work in the Town of Newbury at 65 Newburyport Turnpike Road. A motion was made by Elaine Byrne to approve the business pending inspections and all paperwork needed. Seconded by Alba Gouldthorpe, and voted unanimously.

Housing/Commendation – Middle Road, Health Director, Deborah Rogers explained to the Board when she went to do inspection on a dwelling located on Middle Road. Based on the Inspection conducted the dwelling was filled from the floor to the ceiling with debris. Deb talked to Town Counsel to see if it was okay to allow some time to clean up and get services, instead of starting the condemnation process. Deb Rogers went out 2 weeks later and based on the inspection, the inspection revealed a lot of progress. Deb stated the Owners are cooperative and agreed to a weekly inspection. Deb asked the Board as long as the Owners continue to show weekly progress, if the Board would allow the Condemnation order to be placed on hold. The Board agreed to table the Condemnation and Deb will report back to the Board at the next BOH meeting.

Minutes to be approved: Motion was made by Elaine Byrne to accept the minutes of meeting for October 24, 2019, August 8, 2019, February 27, 2020, July 13, 2020, July 16, 2020, August 18, 2020, and June 10, 2021. Seconded by Alba Gouldthorpe, and voted unanimously.

Meeting Adjourned at 2:52 p.m.

The next meeting of the Board of Health will be on August 5, 2021 at 2:00 pm

Respectively submitted,
Virginia Bacon