



## BOARD OF HEALTH MEETING

July 22, 2014 – 6:30 PM

Rockport Town Hall Annex

**Present:** Board members Dr. Sydney Wedmore, Dr. Russell Sandfield, Richard Meringer and Health Agent Leslie Whelan.

**6:30 PM:** Meeting called to order.

**Minutes to the May 27, 2014 Meeting:** Mr. Meringer moved to accept; Dr. Sandfield seconded and it was voted unanimously.

**Community Concerns:** None

**Fluoride in Drinking Water:** Dr. Wedmore reviewed the pertinent minutes of the previous meeting and then reiterated the process for placing an item on the fall Town Meeting warrant. This is a non-binding vote. Ms. Tysver reported that the Cape Ann Fluoride Network is proceeding with plans to place an item on the Town warrant to remove fluoride from the Town's drinking water. The Board reviewed the material provided by the group and chose not to address the questions provided. Ms. Tysver gave information on two upcoming educational debates focused on the subject, which will be attended by Dr. Conant, an advocate for removing fluoride from the water. She asked the Board to consider providing pro-fluoride information at these educational meetings sponsored by the Cape Ann Fluoride Network. Ms. Tysver has invited the local medical and dental community to attend the debate on Sunday.

**0 South Street:** A variance is requested for a proposed "new construction" septic system, within 100 feet of wetlands for 0 South Street, Map 28, Lots 1 and 2. Attorney Bob Visnick representing Dudley H. Willis, Trustee of 252 South Street Nominee Trust, Dan Ottenheimer, Mill River Consulting, and Mason Browne present. Dr. Wedmore clarified that this property had been discussed by the Board previously; but no formal request for a variance was submitted at that time. Currently, no building exists on the property. Attorney Visnick reviewed both the history of the property and the local BOH regulations pertaining to the reasons a variance may be issued. He reported that the property, which is over seven acres, has been appraised and the current value is \$664,000; he then questioned the value of the property if the lot is un-buildable. The owner is willing to accept a deed limitation which will restrict use to a single family home. The property has been in the Willis family for over 60 years and they have been paying taxes based on the assumption that it is a buildable lot. Dr. Wedmore acknowledged Mr. Ottenheimer's previous work in Town and a review of his credentials is not needed. Mr. Ottenheimer discussed the plans for the septic system not providing the separation of one hundred (100) feet from wetlands; but beyond the States requirement of fifty (50) feet. According to Mr. Ottenheimer, the Title 5 Regulations and Town Regulations were written prior to the design of the new style septic systems. The plans calls for a "Waterloo" pre-treatment tank and "Perc-Rite" drip dispersal system. The proposed system will accommodate a five bedroom home. Mr. Browne and Mr. Willis assured the Board of their intentions to build a home which would fit in the neighborhood and maintain the open land in the front of the property. Dr. Sandfield moved to grant a variance allowing the septic system to be built fifty-two (52) feet from the wetlands as requested by Dudley Willis; Mr. Meringer seconded and the

vote was unanimous. Mr. Willis and Mr. Browne appreciated the support of the Board; the Health Agent will complete a full review of the septic plans.

**Trash Barrels for Take-out Food Establishments:** The Board reviewed the regulation changed during the previous meeting. Ms. Whelan suggested alternative wording to clarify the expectation for which type of food establishments would be responsible for providing and maintaining trash barrels. Mr. Meringer reiterated that the primary problem is on Bearskin Neck, with increased trash being generated by the people with take-out food. The Board discussed issues about the regulation as it affects on restaurants in other locations in Town. Mr. Meringer moved to accept the regulation, Dr. Sandfield seconded and it was voted unanimously. Dr. Wedmore plans to meet with the DPW Commissioners to discuss more frequent weekend trash removal on Bearskin Neck.

**Policy Discussion and Decision Regarding Septic Complaints:** Ms. Whelan reviewed the proposed changes suggested in Draft 3 of the proposed policy. The Board agreed with the policy changes discussed.

**164 Thatcher Road: Septic Repair Complaint:** Ms. Whelan reported that this complaint originated with a dispute between neighbors which appears to not have merit but she will conduct a site visit prior to closing this investigation.

**Beach Closure Policy Discussion:** Ms. Whelan viewed the current signage on the beaches and provided some samples of signage used in other Towns. The Board agreed that the current signage is appropriate. Dr. Wedmore asked about the possibility of doing more testing and a small study to assess the problem with bacteria on Front Beach near the stream following rain storms. Ms. Whelan will talk with Biomarine about on the details of a potential study and also the potential cost of the project. Mr. Meringer agreed that more information is needed about the problem at this time.

**Rockport Inn and Suites:** The health agent is working with the consultant who has reviewed and approved the plans to improve the combine chlorine levels in the pool area.

**Administrative Assistant Position:** Ms. Whelan reported that candidates for the position have been chosen for interviews; Mr. Meringer and Dr. Wedmore plan to attend some of the interviews with the health agent.

**59 Main Street:** The Health Agent went to court today on this case, accompanied by the Town Attorney. The Town is asking for a receiver to be appointed to manage the repairs; fines to be issued and repayment for the attorney's fees since the contempt of court was initiated. The judge anticipates a ruling this week.

**Agenda Amendment to Re-Open the Fluoride in the Drinking Water Discussion:** Dr. Sandfield moved to re-open the agenda item pertaining to fluoride in the drinking water; Mr. Meringer seconded and it was voted unanimously. Dr. Sandfield then articulated his support for the fluoridation of the drinking water and the importance of the BOH supporting the continued fluoridation of the water. Dr. Sandfield moved to have the BOH support the continued use of fluoride in the Town of Rockport's drinking water; Mr. Meringer seconded and it was voted unanimously.

**Meeting Adjourned 8:45 p.m.**

