

TOWN of HINGHAM
BOARD OF HEALTH

Board of Health Public Meeting

February 16, 2023

A posted public meeting of the Town of Hingham, Board of Health (the Board) was held in the East Hearing Room, Hingham Town Hall, 210 Central Street, Hingham, Massachusetts. Mr. Bickford called the meeting to order at 7:48 am.

Members Present

Peter Bickford, Chair
Elizabeth Eldredge, M.D., Member
Rosemary Byrne, N.P., Member

Staff Present

Susan Sarni, Executive Health Officer
Elizabeth Nee, Health Agent

Public Meeting Minutes

The Board reviewed the draft meeting minutes of January 4, 2023.

Thereafter, a motion was made by Ms. Byrne, seconded by Dr. Eldredge and VOTED (roll call); **to approve the Public Meeting Minutes of January 4, 2023, as drafted.**

Members in favor: Eldredge, Byrne and Bickford

Members opposed: none

Action Items

3 Home Meadow, New Construction, Expired DWCP

Mr. Matthew Collins, Representative for Applicant, Crocker Design Group

- Mr. Collins is before the Board to file for an extension to the expired Disposal Works Construction Permit for Lot 1, 3 Home Meadow. This application was submitted on December 30, 2021, and the septic system was approved January 14, 2022. There have been no changes and the variances requested and approved remain the same. Mr. Collins informs that main reason the permit lapsed is due to the focus on the work at Lot 2.
- Ms. Sarni confirmed that the Assessors have made the change in addresses. The new address will be 5 Home Meadow.
- Mr. Bickford asked for an approximate time period for installing the new system and Mr. Collins stated that he believes it will be within the year.
- Ms. Sarni advised Mr. Collins to have the installer dig the primary and reserve as required before the foundation and this will help cover the time needed if installation of the system is delayed.

Thereafter, a motion was made by Ms. Byrne, seconded by Dr. Eldredge and VOTED (roll call); **to approve the extension of the Disposal Works Construction Permit for 3 Home Meadows, which is now 5 Home Meadows.**

Members in favor: Eldredge, Byrne and Bickford

Members opposed: none

Increase Permit Fee for Beach Water Testing

- Ms. Sarni informed the Board that G&L Labs who conduct testing for the beaches has increased their fees from \$300 to \$400.
- This increase is necessary, as the budget does not have the funds to accommodate the increase. This increase covers for not only the testing but also the retesting, if necessary.
- Testing is done every Tuesday for 13 weeks for 8 beaches. 6 beaches are private associations that charge the fee and the other 2 are owned by the town with no charge.

Thereafter, a motion was made by Dr. Eldredge, seconded by Ms. Byrne, and VOTED (roll call); **to approve the increase fee for beach testing from \$300 to \$400 effective February 16, 2023.**

Members in favor: Eldredge, Byrne and Bickford

Members opposed: none

Discussion

Tobacco Regulations – Initial Discussion

Ms. Nee explained to the Board that Hingham is now part of a tobacco collaborative, which includes approximately 7 towns, and the lead agency is Hanover. Ms. Kathleen Mahoney is the Director of the Collaborative and she conducts compliance checks and merchant education.

The state has new tobacco regulations, which we would like to review and adopt. Ms. Mahoney has offered her time along with Massachusetts Tobacco Cessation and Prevention Program (MTCP) representative to comb through these new regulations and find the appropriate verbage for Hingham. We will revisit this in a few months and give the Board an update as to where the revisions stand.

What is the definition of New Construction?

Mr. Bickford is interested in reviewing and discussing the definition of new construction. What does it mean when it is both a building permit and a new or upgraded septic system?

- When an existing house is being demolished and there is a proposed increase of living area/footprint does this raise concerns within public health?
- Ms. Byrne expressed concern of using a standard percentage of what more can be built and would recommend it be more of a case by case because of the differences in square footage. (small house vs. larger house)

- Dr. Eldredge clarifies that this discussion is for new construction and how it will affect the septic regulations.
- Under Title 5 for new construction, you must have a reserve area so would that be considered?
- There are houses being built on small lots and the square footage is concerning and how it impacts the setbacks to septic system component and replacement of the system.
- Discussion suggested starting to explore if this is a public health concern and is carbon footprint a good place to start.

Thereafter, a motion was made by Ms. Byrne, seconded by Dr. Eldredge and VOTED (roll call); **to have Ms. Sarni keep track of the repairs and changes to the footprint of dwelling with the repairs or new construction.**

Members in favor: Eldredge, Byrne and Bickford

Members opposed: none

Pool Regulations – Initial Discussion

- Ms. Sarni and Ms. Nee asked the Board to consider modifying the present definition of a Swimming Pool in the Regulations Governing Residential Swimming Pools Regulation 1: Definition (b) to now read:

Swimming Pool means and includes every artificial pool of water having a capacity greater than 2,450 gallons *or the depth of two feet* or more, used for swimming or bathing, located indoors or outdoors, together with the bathhouses, equipment and appurtenances used in connection with the pool.

- The bolded italic wording is the change from the adopted November 15, 1965, definition of a swimming pool.
- Incorporating this wording into the definition helps guide and enforce the newer swimming pools that are becoming popular (i.e. plunge pools) measuring, for example, 7x10 and applying the water to be just below the 2,450 gallons.

Thereafter, a motion was made by Ms. Byrne, seconded by Dr. Eldredge and VOTED (roll call); **to approve the change of the Regulations Governing Residential Swimming Pools Regulation 1: Definition b. to now read: Swimming Pool means and includes every artificial pool of water having a capacity greater than 2,450 gallons *or the depth of two feet* or more used for swimming or bathing, located indoors or outdoors, together with the bathhouses, equipment and appurtenances used in connection with the pool. Effective February 16, 2023.**

New Business

No new business brought before the Board.

EHO REPORT

Kathy Crowley is retiring as the public health nurse.

There is a new social worker, Mr. Justin Cancel, LCSW. He will be providing services to Hingham residents during after hours and he is reachable by cell phone.

The Selectman have approved the warrant article for plastic water bottles. This still needs to go to Advisory and then to Town Meeting.

Hingham Department Budget – no discussion

Scheduling

The next meeting is scheduled for Thursday, March 23, 2023, at 7:45am.

Adjournment

The public meeting of the Hingham Board of Health adjourned at 9:00am.

Respectfully Submitted,
Elizabeth Nee, Health Agent

Documents reviewed during the Public Meeting:

- *BOH of Health Meeting Agenda*
- *Board of Health Public Meeting Minutes from November 4, 2022*
- *Letter from Matthew Collins Requesting Permit Extension for Septic system at 3 Home Meadows Lane*
- *Copy of the Local Upgrade Approval dated 01.14.22 for 3 Home Meadow, Lot 1*
- *Email from Andrea Benedetto to Susan Sarni, Water Testing Increase, January 10, 2023*
- *Email from Andrea Benedetto to Susan Sarni, Water Testing Increase, February 8, 2023*
- *Excel Spreadsheet, Variance to Title 5 and SRR 2019-2022 New Construction*
- *Email from Peter Bickford to Susan Sarni, Some Thoughts on New Construction*
- *Draft 1 for Change in Regulations of Pools Definition of Swimming Pools*