

**APPROVED**

**DEC 21 2021**

**WEST NEWBURY BOARD OF HEALTH  
381 Main Street, Town Office Building  
West Newbury, MA  
MINUTES**

December 7, 2021 at 4:30pm - 2<sup>nd</sup> Floor Hearing Room

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**BOARD: Robert Janes-Chairman, Blake Seale-Member, Thomas Fahey-Member**

**HEALTH AGENT: Paul Sevigny**

**ADMIN ASS'T: Jane Krafton**

**OTHERS: Daniel Thorton-Assistant Principal and Athletic Director**

R. Janes opened public meeting 4:30pm

**I. BUSINESS:**

- Reviewed November 16, 2021 minutes. **APPROVED 3-0-0**
- Steele Landfill update. Test is being conducted and is going well. Proposal will be coming in from NEET for December.
- Covid-19 update. Amesbury recently received a grant to provide assistance with contact tracing in the area. The Town's contact tracing will now be streamlined with one or two nurses dedicated in the task. Health Agent will keep Board informed on progress. T. Fahey requested to review the final plan. Booster vaccine clinics are scheduled for December 15<sup>th</sup> and December 22, 2021 in the Annex. Ages 5-11 clinics are going well, and the website is being updated with current Covid numbers.
- Reviewed FY21 Town Report. **APPROVED 3-0-0.** Krafton will submit to the Assistant Town Clerk.
- Reviewed FY23 Budget schedule. Krafton will pull numbers together and email to Board to review before the next scheduled meeting. Budget is due to Town Manager on January 12, 2022.
- Reviewed holiday waste/recycling schedule. **APPROVED 3-0-0.** Krafton will submit for News and Announcements and post on website.
- Reviewed Covid Protocol for Employees dated 11/15/21.
- Discussed Car Post. Health Agent, Building Inspector, DPW Director and Board of Health Chair met at the Car Post building to discuss possible future use of the building. If the Town maintains ownership of the building or if Town should sell it to a third party. It is believed that in the 1970s/1980s the upstairs of the building was used as a function hall, and main floor was most likely used as a lounge/tavern. The board had a brief discussion regarding a tight tank versus a conventional system. Additional meetings and discussions will be conducted in the future.
- Krafton request December 16, and 23, vacation days. **APPROVED 3-0-0**

## II. APPOINTMENTS:

- 4:45pm: N/A

### PUBLIC HEARING - 4:45pm - 2<sup>nd</sup> Floor Hearing Room

Reviewed proposed revisions on regulations for Construction of Private Wells dated June 10, 2003.

Chairman R. Janes opened public hearing and read aloud the Public Hearing Notice which ran in the Daily News on November 10 and November 17, 2021. R. Janes stated that the reason for adopting local private well regulations is because the State of Massachusetts does not currently have regulations that govern construction of private wells and it is in the interest of protecting public health when residents rely on a private well as a source of potable water. The proposed revision also offers relief from previous stringent setback requirements. R. Janes read the aloud the proposed changes on page 2 section V. Well installation:

#### V. Well installation

##### A. Location - The well **shall not be located:**

1. Within the foundation walls of the dwelling unless adequate provision is made for the complete removal and replacement of all components located within the casing.
2. Within 25' of a foundation if a drilled well.
3. Within any area which is polluted or subject to continuous or periodic flooding or standing water.
4. Less than ~~60 (sixty) feet~~ 50 feet from a septic tank, ~~or less than 110 (one hundred and ten) feet or~~ and less than 100 feet from a leaching field, bed, seepage pit, or dry well.
5. Less than 50 feet from ~~gravity~~ sewer lines, or 20 feet when the sewer line is cast iron encased in concrete, and in both cases, at least 2 feet above the sewer line.
6. Less than 50 feet from an abutter's property line or less than 40 feet from a public or private ways. At the discretion of the Board of Health and with the direct abutter's approval, these distances may be reduced. ~~to 25 feet.~~

R. Janes opened the floor up for comment, all members were in agreement that the proposed changes would in fact bring the local well setbacks in line with the State Title V requirements. R. Janes made a motion, seconded by B. Seale and R. Janes called for a "roll call" board approval vote. R. Janes-Yes, B. Seale-Yes and T. Fahey-Yes. Proposed Construction of Private Wells #FY21-120721 dated December 7, 2021 unanimously approved 3-0-0.

Krafton will submit summary to local newspaper for publication as well as file with the Attorney General's office, and Regional and Boston DEP Offices with notice of the new Construction of Private Wells.

R. Janes closed the public hearing 5:15pm and reconvened in public meeting.

**Daniel Thorton-Assistant Principal and Athletic Director** requesting board's opinion/guidance on an up coming wrestling event at the Pentucket Regional High School. The event would host 16-20 teams that may have as many as 20 athletes from other Massachusetts

schools. It's a very well attended event and in the past has estimated 500 in attendance. D. Thornton explained that everyone would have to be masked and that the concession area would be closed but that food would most likely be brought in by parents/spectators because of the length of the event. B. Seale is not in favor and that is his opinion. T. Fahey stated he is very concerned with the volume of people and therefore not in favor. R. Janes stated that he is in favor of sports but important to err on the side of cautions and agrees with his fellow board members that this event sounds too risky at this stage. D. Thornton appreciates the Board's recommendation and also agrees that shooting for the event for next year is what should be done. Board voted unanimously opposed to wrestling tournament. **3-0-0 NOT APPROVED**

### **III. SEPTIC PLANS:**

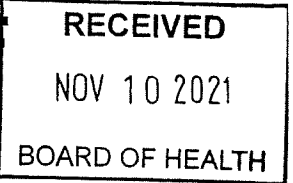
- 2 Georgetown Road, Wendy Willis #21-31 Scanlan Eng. **APPROVED 3-0-0**
- 209 Main Street, Erin Meisner #21-35 Millennium Eng. **APPROVED 3-0-0**
- 190 Crane Neck Street, Mark Grabowski #21-28 Merrimack Eng. Services. **TABLED**
- 1-3 Major Boyd Drive, Michael Crowe #21-30 Williams & Sparages. **TABLED**

### **IV. FYI: No Action Needed**

- N.A.

Meeting Adjourned 6:10pm

**PUBLIC HEARING NOTICE  
WEST NEWBURY BOARD OF  
HEALTH**



**Amendment to Regulations for  
Construction of Private Wells  
Tuesday December 7, 2021  
4:45 pm**

Notice is hereby given that the West Newbury Board of Health will hold a Public Hearing at the Town Office Building, 381 Main Street, in the Second Floor Hearing Room on December 7 at 4:45pm. Said hearing is relative to adopt any proposed new, amended or revised **Regulations Construction of Private Wells.**

The Hearing will be held in person, any party interested in attending the public hearing for the proposed regulations should appear at the time and place designated above.

Robert Janes, Chairman  
West Newbury Board of Health  
NT - 11/10, 11/17/21

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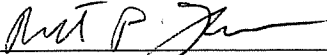
## **WEST NEWBURY BOARD OF HEALTH REGULATIONS FOR CONSTRUCTION OF PRIVATE WELLS**

**Adopted as revised on December 7, 2021, effective December 7, 2021**

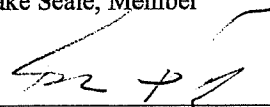
- I. Purpose: These regulations are intended to protect the public health and general welfare of the residents of the Town of West Newbury by ensuring that private wells producing water for human consumption and irrigation purposes are constructed in a manner, which will protect the groundwater resources and the quality of water obtained from these private wells.
  
- II. Water Supply
  - A. An approved water supply must be available for any new or rehabilitated building, prior to the issuance of a Building Permit.
  - B. The two acceptable supplies are:
    - a. Municipal water
      - 1. If municipal water is used it must be supplied by the municipal water mains.
      - 2. Unless outside circumstances prevent it, all new dwelling units and business establishments must connect to the municipal water system if it is available.
    - b. Well
      - 1. The well may or may not have a storage tank.
      - 2. The well shall conform to the conditions outlined below.
      - 3. A member of the Board or its designated agent shall witness that these conditions are met.
  
- III. Application procedure
  - A. Application for well and pump permit shall be filled out and paid for prior to well installation. A plan showing proposed well location must be provided with setback distances.
  - B. The Board of Health must be notified at least two days prior to the drilling of the well. The well rig shall be set up during the inspection, flow test and potability testing.
  - C. A potability test must be done according to the regulation below, and submitted to the Board of Health.
  
- IV. Water quality and flow
  - A. Flow test
    - a. Procedure
      - 1. The well shall be pumped initially at the highest sustainable rate to ensure removal of any fine loose material of silt or sand
      - 2. Flow rates:
        - Well depth up to 300 feet 5 gallons per minute
        - Well depth 400 feet, 3 gallons per minute
        - Well depth 500 feet, 2 gallons per minute
        - Well depth 600 feet, 1 gallon per minute, but needs to be conducted after a 500-gallon pump down.
      - 3. If the above rates can't be certified, then pumping at 5gpm for two (2) four-hour days will be required. This test shall be conducted by an independent contractor and results submitted to the Board.
    - b. Potability
      - 1. Required for the sign-off of a building permit and/or the connection to an existing home. Potability tests for bacteria, minerals, and VOC shall be submitted to the Board

- G. When sand or silt is encountered in the water bearing formation, a suitable sand trap shall be installed in the line where it is accessible for maintenance.
  - H. Where a storage tank is used, the tank will have a draw-down capacity of no less than the capacity of the pump. Minimum run time from start to stop will be no less than 60 seconds. It shall be equipped with a suitable pressure relief valve and a valve drain outlet at the lowest point. The tank shall be water tight, sound and corrosion resistant, and be capable of withstanding the maximum combination of loads imposed.
  - I. Where industrial and commercial facilities are to be operated from wells, a minimum of two pumping tests shall be made at two different times of the year, at least 4 months apart and not greater than 8 months apart, with varying static levels to establish a relationship between drawdown and effect on nearby wells, water levels, and pumping rate. A complete soil log for the entire depth of the well including blow counts or penetration speeds shall be furnished to permit evaluation of various strata which may require sealing.
- VI. The Board or its designated agent may require a different pumping or testing procedure when deemed necessary to assure accurate and reliable test results.
- VII. Severability  
Should any section, subsection, paragraph, sentence, or word of this regulation be declared invalid for any reason whatsoever, that decision shall not affect any other portion of this regulation, which shall remain in full force.
- VIII. Conflict of Regulations  
In any case where a provision of this regulation is found to be in conflict with a provision of any zoning, building, fire, safety, or health code of the Town of West Newbury or the Commonwealth of Massachusetts, the provision which in the judgment of the West Newbury Board of Health establishes the higher standard for the protection and promotion of the health and safety of the people shall prevail.
- IX. As-Built Plan  
A plot plan of the house lot showing locations of the well and septic system, and exact distances from reference points, must be supplied to the Board of Health prior to final acceptance.

Effective Date: 12-7-21 by vote of the West Newbury Board of Health:

  
Robert P. Jones

  
Blake Seale, Member

  
Thomas Fahey, Member