

**ANDOVER BOARD OF HEALTH**  
**Minutes**  
**January 23, 2023, at 6:00 P.M.**  
**2nd Floor Conference Room, Andover Town Offices**  
**36 Bartlet Street**

The Board of Health Meeting was called to order at 6:00 p.m. Present were Gopala K. Dwarakanath, M.D., Vice-Chair, Deb Enegeess, M.D., Clerk, and Mr. Thomas G. Carbone, Director of Public Health.

**I. Appointments & Hearings**

- **#1 – Roseann Hewitt, Elm Square Oyster House – Appeal of Late Renewal Fee**  
Mr. Carbone notified the Board that he offered Ms. Hewitt the opportunity to hold the appeal via a conference call due to weather. Mr. Carbone informed Ms. Hewitt who was present at the meeting. Mr. Carbone explained to the Board the reason for the late fee that was assessed by the Health Division and offered Ms. Hewitt the opportunity to explain the reasons for her appeal. Ms. Hewitt explained to the Board the struggles of running a small business and that she would appreciate the Board eliminating the additional late fee.

*Motion by Dr. Dwarakanath to reduce the late fee by 50%, refund of \$150.00, seconded by Dr. Enegeess. Unanimous approval*

- **#2 – Public Hearing on Revised Sewer Regulations** – Mr. Carbone recited the Notice of Public Hearing that was posted in the Andover Townsman regarding the Sewer Regulations. Mr. Carbone informed the Board that the sewer regulations have not been updated since 2009. Mr. Carbone has been working with the DPW on a draft, which is included in tonight’s BOH meeting packet. Mr. Carbone recommends the Board close the hearing and allow written testimony to be filed until 3:30 PM on January 31, 2023. Mr. Carbone plans on presenting the Board with the completed document at the February 13, 2023, Board of Health meeting.

*Motion by Dr. Dwarakanath to close the hearing and allow written testimony to be filed until 3:30 PM on January 31, 2023, seconded by Dr. Enegeess. Unanimous approval.*

**II. Approval of Minutes**

- **# 3 – December 12, 2022**

*Motion by Dr. Dwarakanath to approve the minutes dated December 12, 2022, seconded by Dr. Enegeess. Unanimous approval.*

**III. Discussion Items**

- #4 – N/A

**IV. Old Business**

- #5 - N/A

**V. Subdivision Definitive Plans**

- #6 - N/A

**VI. Septic System Variances/Local Upgrade Approval**

- **#7 – 12 Cherrywood Circle – LUA to allow the SAS to be 3’ above the SHWT, 4’ required – Ratify.** Mr. Carbone asked the Board to ratify the issuance of the LUA to allow the SAS to be 3’ above the SHWT where 4’ is required. Mr. Carbone issued the LUA administratively as the homeowner had the opportunity to have the septic system installed quickly. Mr. Carbone explained to the Board that in order for the septic system to be in full compliance a retaining wall and a pump would need to be installed at an additional cost of approximately \$10,000 to the homeowner.

*Motion by Dr. Dwarakanath to ratify the LUA for 12 Cherrywood Circle to allow the SAS to be 3’ above the SHWT where 4’ is required, seconded by Dr. Enegress. Unanimous approval.*

**VII. Staff Reports**

- **#10 – Director’s Report**– N/A
- **#11 – Community Health Report** – Report for December 2022
- **#12 – Environmental Health Reports** – Report for December 2022

**VIII. Board Member Reports**

- N/A

**IX. Adjournment**

*Motion by Dr. Dwarakanath to adjourn the Board of Health Meeting at 6:22 pm, seconded by Dr. Enegress. Unanimous approval.*

- **Important Dates:**

- February 7, 2023 – All Day Staff Training, New Housing Code
- February 13, 2023 – Board of Health Meeting – 6:00 PM
- March 10, 2023 – All Day Academic Public Health Corp Visit
- March 20, 2023 – Board of Health Meeting – 6:00 PM

Per the New Open Meeting Law, the following is a list of the documents that were either distributed to the Andover Board of Health before the meeting in a packet, or at the meeting.

1. Board of Health (BOH) Meeting Agenda.
2. Memo from Mr. Carbone to the BOH dated Jan.13, 2023 – Elm Square Oyster Company Late Fee Appeal
3. Memo from Mr. Carbone to the BOH dated Jan. 13, 2023 – Draft Sewer Regulation
4. Draft minutes from December 12, 2022 BOH Meeting.
5. Memo from Mr. Carbone to BOH dated Jan. 19, 2023 – LUA Request 12 Cherrywood Circle
6. Community Health Report – December 2022
7. Environmental Health Report – December 2022