

**Administrator's Report**  
**Board of Health Meeting of March 27, 2008**  
*Report covers from March 13 to March 26, 2008*  
*Items requiring Board action are noted with an asterisk (\*)*

**A. Appointments – Informational Only**

Cape Ann Chamber of Commerce RE: Clam Fest TFE Applications

John Broderick RE: Lewis' public well location

Atty: Guerin RE: Proposed houses on Island Rd.

**B. Agreement to Connect to Municipal Sanitary Sewer**

None

**C. Inspection Report Reviews**

None

**D. Soil Evaluations / Waiver Explorations**

None

**E. Septic System Design Plan Reviews**

(1) 43 Wood Drive, McCoy, Map 4, Lot 101\*

I have reviewed the submitted repair septic plan for this property. A local upgrade approval is required for the reduction in setback to the property line from 10' required to 8' provided. Additionally, the following items need attention-

1. The designer's certification statement is required.
2. Note the setback between the proposed relocation of the well and the neighboring tight tank.
3. Show an overhead detail of the system, including the location of all system lines.
4. The separation between groundwater and sas at TP2 calculates to only 3.5'.
5. Show the location of the summer water line on the property.
6. Specify watertight joints in the sewer line and vacuum testing of the septic and Waterloo tanks.
7. A cleanout is required where the return line of the waterloo Biofilter joins the sewer line.

8. The center manhole of the septic tank must be sealed permanently watertight.
9. Buoyancy calculations for the tanks must assume groundwater at existing grade or top of tank.
10. Pump specifics (solid handling, overload protection, starts/hr, lifting chain, masts, removable valves) are needed. Pump controls must be lockable.
11. Give cross section detail of manifold connection to trenches.
12. The design of the retaining wall must conform to Title 5 & be stamped by a PE. If not done on the submitted plan, a separate submission is required.
13. "Design Notes" state trench length as 28'. "System Component Details" states length as 34'.
14. "Design Notes" #7 state s sas required square footage as 225 sq. ft. Math is wrong & should state 275.
15. To avoid construction mistake, please clearly state that "B" horizon is to remain in place. Also Please clearly label Trench 1 & 2 in "leach Field Cross Section".
16. Note that the existing drinking well is to be abandoned by a licensed well driller, per recommended abandonment procedure.

*Recommendation: I recommend disapproval of this plan, dated January 24, 2008, for the above reasons.*

#### **F. Building Permit Applications & Occupancy Permits**

None

#### **G. Septic System Installations**

None

#### **H. Well Water Supply Certificates**

None

#### **I. Meetings Attended (for information only)**

##### (1) Cape Ann Education Group Meeting

I attended a meeting of the ED group. The next two public presentations are "Pandemic Flu", scheduled in Rockport on 4-1, & "Flu: What you Can Do-Caring for People at Home", Scheduled 4-9 in Manchester. After these presentations, there will be a break in training until we resume in the Fall; likely in September. The NSCA EP Coalition will continue their presentations throughout the summer.

(2) Essex Town Web Training

I attended 2 trainings on creating & updating to our website. The first was a 3 hour presentation & the second (with several other departments) was a 1 ½ hour hands on training.

(3) North Shore-Cape Ann Emergency Preparation Coalition

I attended this monthly meeting Much of this month's discussion was on determining who may be the new host agency & Chair. Walter Montgomery attended and discussed Mosquito Control for the 9 coalition communities in the program (all but our Cape Ann Communities).

## **J. Complaints**

(1) 131-133 Main St., Butler, Map 37, Lot 47

We received 2 phone complaints over the 3-14 to 3-16 weekend from the same person, stating that his neighbor has a dog kennel on the property line. He said that for the last couple of years, the neighbor keeps a large (6' X 3' high) manure pile on the property line and sprays feces onto his car & his kids' bikes when he power washes the kennel. The second phone call stated that he contacted the CDC, State Dept of Health and others and was told that this is a hazard that should be taken care of by the local BOH. He said if we didn't handle it in a few days, the CDC would send in a suited up HAZMAT team to take care of it. The complainant left his name (Jeff Goodrow), but no return phone number & we did not find him listed in the phone book.

I spoke to Pam Stone, our animal inspector. She said she would look into it. I checked with Sally Soucy, our Town Clerk, & found out he had 3 dogs. On Tuesday, I inspected the property with Mr. Joshua Butler. The dog droppings were in a compost bin, mixed with sawdust & about 2' diameter X 3' tall. There was no odor present & the bin was in a fences area, about 50 feet from the property line. The kennel contained one dog, the others were in the house. There was a faint odor immediately next to the kennel. The large (estimated 12' X 12') kennel was clean and had a stone pebble floor. The side adjoining the complainant's yard consisted of a 6' high stockade fence with few openings large enough for water to go through. Attached to the side of the kennel, was a bottle of hand sanitizer. Mr. Butler said he is very conscientious about cleanness. He is a firefighter and EMT. He also used to train Police Dogs. Waste is cleaned out at least once every day, frequently more often. He sanitizes with bleach & water & periodically power washes. The last time he power washed was last fall. When he does he tries to keep the water on his own property.

Looking at the property next door; there were a couple of bicycles on the ground, next to the fence. There is much other available space to park the bikes. It doesn't look as if a car could be parked within 10' of the fence. My suggestion to Mr. Goodrow, should he call back, would be that the bicycles be relocated, so that in the event that the occasional power washing allows some water to come through the fence slats, the bikes will not get sprayed.

Overall, I thought Mr. Butler had a very clean and well managed set up. He did state that the neighbors were supposed to move within a couple of weeks & that his father had told the kids to stay away from a burn pile last week.

*Recommendation: I don't think any further action is necessary. I have taken pictures for your review.*

(2)91 Main St., Essex Package Store, Map 37, Lot 51

We received a complaint that someone bought a bag of peanuts here; they tasted funny; and were discovered to be out of date (they had a "best if used by" date of 12-15-07. I also realized that they don't have a food service permit. I inspected & discovered that the peanuts on the shelf were out of date. They were immediately removed & discarded. I left a permit application with them. The woman there was very cooperative & said she will check codes on all their shelf items and get the application back to us before the end of the week.

*Recommendation: None. Informational only.*

(3) 27 Forest Ave., Hunt, Map 32, Lot 83

We received an anonymous letter complaining about the debris on this property and the owners dogs. I gave a copy of the letter to the BOS, as they deal with vicious dog complaints. We addressed the issue of debris on this property at the last BOH meeting & issued an Enforcement Order.

*Recommendation: None. Informational only.*

## **K. Hazards Abated Via Enforcement Orders**

None

## **L. Reportable Diseases**

None

## **M. Other Issues**

(1) Island Rd., Hardy, Map 22, Lot 16 \*

Atty. Guerin has an appointment at this meeting to discuss new construction on Island Road. I believe his 2 topics of discussion will pertain to demolition of the existing abandoned chicken coops and a request to construct cisterns for use with the new houses. My primary concern with the demolition if the chicken coops is that there is supposedly over 1 foot of chicken droppings on every floor of the coops. I am concerned with the possible histoplasmosis threat ([http://www.cdc.gov/ncidod/dbmd/diseaseinfo/histoplasmosis\\_g.htm](http://www.cdc.gov/ncidod/dbmd/diseaseinfo/histoplasmosis_g.htm)). I have been in discussion with Atty. Guerin on this & I assume he will be updating us at the

meeting. Regarding the use of a cistern – we do have a local by-law specifying the procedure; however I feel it is over ridden by MA General Law Chapter 40, Section 54 that specifies allowed water sources mandated before the issuance of a building permit.

*Recommendation: Discussion.*

(4) BOH Nurse Discussion\*

Jeff Soulard of the Finance Committee recommended having a meeting at a future date to discuss our warrant article.

*Recommendation: Discussion, if time allows.*

**N. Tracking of Housing, Food Service, and Other Miscellaneous Board Issues**

(1) Summer Intern

We have been approved for a summer intern through DPH. She is Linda Haskell, a MPH graduate student at BU. A copy of her resume is in your folder for your review. I will have to contact her to discuss hours (10-20/wk). She works full time, so I'm hopeful that we can work something out.

*Recommendation: Informational only at this point.*

(2) John Broderick, Lewis' Restaurant, John Wise Ave.,

We invited Mr. Broderick to come to our meeting to discuss the location of his septic system pump chamber to the public well he uses to serve his restaurant. I have spoken to DEP regarding this situation. The BOH may allow the component to remain if you determine that the system is not in failure and not a threat to the public water supply. They do recommend that if the component(s) are not relocated at this time, a timeframe be set up for relocation.

*Recommendation: If the Board decides to allow the pump chamber to remain, I recommend the following procedure-*

- *Have a complete Title 5 inspection performed on the system to verify that it is not in failure.*
- *Require that Mr. Broderick hire a RS of PE to confirm & certify the distance of all system components (septic tank, grease trap, and pump chamber) to verify if they are or are not within the Zone 1 of the well.*
- *Require a water tightness test be performed on all components found to be within the Zone 1. This should be a 24 hour test, which I would recommend be performed and certified by a MA PE or RS. I would want to review the procedure with the PE or RS and also require 2 samples of the tank water be taken and tested for salinity. This would compare the start and end tank content to determine if there is tidal infiltration.*

- *If all tested components pass the test, grant a variance to allow the existing setback. This may be conditional upon an agreed upon timetable to relocate the nonconforming components.*