

Administrator's Report
Board of Health Meeting of August 13, 2015
Report covers from July 23 to August 12, 2015
Items requiring Board vote are noted with an asterisk ()*

A. Inspection Report Reviews

(1) 35 John Wise Ave., Talidoros, Map 120, Lot 12 *

I reviewed the Title 5 inspection report for this property and am in agreement with the determination of the inspector, Paul Ricker, that this system passed the 6/9/2015 – 6/30/2015 inspection. The date of inspection extension is because a damaged distribution box was replaced.

One important notation in the inspection report is the stated septic system approved capacity of 4 bedrooms, vs. actual bedroom count as 5. Our file, the Assessor, and the realtor listing, all state the house is 4 bedrooms.

*Recommendation: I recommend that a letter be sent to the homeowner stating that the Board is in agreement with the determination of the inspector, Paul Ricker, that this system **passed the 6/9/2015 – 6/30/2015** inspection. It should be noted that this system is designed and approved to serve a four bedroom house. Bedroom count may not be increased without proper Board of Health approvals.*

(2) 97 Apple St., Mewkill, Map 148, Lot 7 *

I reviewed the Title 5 inspection report for this property for the inspection performed July 10, 2015. The inspector classified this system as “needs further evaluation by the local approving authority” due to the fact that the private well is located within 100’ of the leaching field (97’).

*Recommendation: I recommend that a letter be sent to the property owner stating that the Board is in agreement with the determination of the inspector, George Norris, that the inspection performed **July 10, 2015, classifies the system as “needs further evaluation by the local approving authority”** due to the fact that the private well is located within 100’ of the leaching field (97’). Because it is within 100’, but greater than 50’, the system will pass if a water analysis is performed on the water and the results confirm no coliform bacteria and the combined presence of ammonia nitrogen and nitrate nitrogen are equal or less than 5ppm. Results of the water testing must be submitted to, and approved by, the Board of Health to classify this system as “passed”.*

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(3) 98 Pond St., Buckley, Map 153, Lot 13 *

I reviewed the Title 5 inspection report for this property for the in section performed August 3, 2015. From the information in the Report, I am in agreement with the determination of the inspector that the system passed this inspection.

Recommendation: I recommend that the Board send a letter to the property owner stating that from the information reviewed in the Title 5 Inspection Report, you are in agreement with the determination of the inspector, John Duncan, that this system passed the August 3, 2105 inspection.

B. Soil Evaluations / Waiver Explorations

(1) 79 Wood Dr., Miller, Map 157, Lot 11

I witnessed soil testing on this property to meet new construction criteria & install a new increased capacity septic system.

Recommendation: None. Informational only.

C. Septic System Design Plan Reviews

(1) 11 Haskell Ct., Gertsch, Map 137, Lot 28 *

I reviewed the submitted plan for this property and noted the following required changes –

1. The location of the proposed waterline must be shown.
2. The designer's certification statement is required.
3. The soil class should be listed as class II, rather than Class I.
4. TP 3 doesn't have sufficient 4' of naturally occurring pervious soil if the A and B horizon are both removed.
5. Watertight joints must be specified for the sewer lines.
6. Sewer line must be laid on a compact, firm base.
7. The approved septic tank model & manufacturer must be specified.
8. Buoyancy calcs must be supplied for the tank – estimating high GW at existing grade.
9. Vacuum testing is required for the septic tank.
10. The D-Box needs to specify soil compaction beneath and stone size.
11. A detail of the retaining wall is required; stamped by a P.E.
12. Specify if the leach lines are vented, capped, or connected together.
13. The profile notes specify the tank access covers "to grade", they must be slightly above grade, as noted in the profile diagram.

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Additionally, because the wall height is greater than 4', a building permit is required for its construction.

*Recommendation: I recommend disapproval of this plan, **dated June 2, 2015**, for the above reasons.*

(2) 11 Haskell Ct., Gertsch, Map 137, Lot 28 *

I reviewed the submitted revised plan for this property. Required corrections have been made, with the exception an inconsistency in the design. Page 2 profile of the s.a.s. shows the retaining wall with an impervious barrier abutting it on the uphill side. The wall detail shows "permeable backfill" on the uphill side, with no reference to the liner.

*Recommendation: I recommend disapproval of this plan, **dated June 2, 2015 with a 7-29-15 revision date**, for the above reason.*

(3) 11 Haskell Ct., Gertsch, Map 137, Lot 28 *

I reviewed the revised plan for the retaining wall. It does not meet Title 5 requirements.

*Recommendation: I recommend disapproval of this plan, **dated June 2, 2015 with an 8-7-15 revision date**, for the above reason.*

(4) 11 Haskell Ct., Gertsch, Map 137, Lot 28 *

I reviewed the revised plan for the retaining wall. The impervious liner had been reinstalled and the height of the driveway adjoining the wall has been raised, so that the final wall height is 4 +/- feet above final grade. Because the wall will be partially greater than 4' height, a building permit is required.

*Recommendation: I recommend approval of this plan, **dated June 2, 2015 with an 8-11-15 revision date**. I recommend that the approval require that the wall detail supplied to the Building Dept. for a permit be reviewed and approved by the BOH agent prior to construction.*

(5) 88 Belcher St., Pierro, Map 115, Lot 12

I reviewed the as built plan for this property, received all required paperwork, and issued the certificate of compliance for the tight tank serving this property.

Recommendation: None. Informational only.

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(6) 6 Robbins Island Rd, Collins, Map 108, Lot 003

I reviewed the as built plan for this property, received all required paperwork, and issued the certificate of compliance for the tight tank serving this property.

Recommendation: None. Informational only.

(7) 95 Apple St., Corcoran, Map 148, Lot 6 *

I reviewed the submitted plan for this property for the relocation of the existing septic tank. This plan was designed for a 10 bedroom system. We have an existing septic system design for a 12 bedroom system in our file – the new tank must comply with the existing bedroom capacity.

*Recommendation: I recommend that this plan, **dated 8-3-15** & designed by John Judd, for abandonment and replacement of the existing septic tank be disapproved for the above reason.*

(8) 95 Apple St., Corcoran, Map 148, Lot 6 *

I reviewed the submitted revised design plan for this property. The tank has been up-sized to the required 3,000 gallon size.

*Recommendation: I recommend that this plan, **dated 8-3-15, with a 8-11-15 revision date** & designed by John Judd, for abandonment and replacement of the existing septic tank be approved.*

(9) 19 Soginese Rd., Spence, Map 112, Lot 12 *

I reviewed the resubmitted septic design plan for this property. The plan was originally approved 1-23-14, but partially redesigned due to a major change in the footprint & location of the house foundation, as well as relocations of the septic tank, pump chamber and well.

*Recommendation: I recommend approval of this 5 bedroom capacity septic design plan, **dated 8-3-15** and designed by John Judd.*

(10) 8 Sumac Dr., Echard, Map 10, Lot 5 *

I reviewed the revised septic design for this property. Required changes have been made, with the exception of installation of outlet filter. The designer said they are prohibited for Presby design systems. Their design manual says they “will not be required” - as opposed to prohibited. DEP does not take a stand on them either way & in speaking to a Presby CO. design rep, they are not strongly opposed to their use, but they do prefer they not be

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used so that air venting is not interfered with. The designer is requesting a waiver to our local requirement for their use.

Recommendation: I recommend granting of the requested waiver & approval of the 2 bedroom capacity plan, designed by Daniel Johnson 7-13-15, with a revision date of 8-10-15.

(11) 37 Wood Dr., Giammanco, Map 154, Lot 29

I reviewed an issued the Certificate of Compliance for this property after sign off by the installer.

Recommendation: None. Informational only.

D. Septic System Installations

(1) 27 Pond St.

I inspected the s. tank and D-box (2X) and final finished grading of this system.

Recommendation: None. Informational only.

(2) 65R Pond St.

I performed a final cover & stabilization inspection of this system.

Recommendation: None. Informational only.

(3) 7 Sumac Dr.

I performed a bed bottom inspection, field & tank hole(2X) inspections on this system.

(4) 4 Pine Ridge Rd.

I performed a tank hole, tank, d-box (for flow reduction) and sewer line inspection on this tank replacement.

Recommendation: None. Informational only.

E. Building Permit Applications & Occupancy Permits

None

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F. Well Water Supply

(1) 52R Lufkin Point Rd., Creeden, Map 110, Lot 68 *

We have received a request from the property owner to be able to locate a private drinking well on their property to serve the house when seasonal water is not available. They are requesting a variance to the BOH regulations that mandate a minimum of 100' from a leaching area or cesspool. Although not specifically requested, a variance to the 25' minimum offset to the street is also required. Proposed offsets to leaching areas are; 78' from their leach area, 79' from a neighbors leach area, and 80' to another neighbor's leach pit.

Recommendation: Since the proposal does not infringe on the use of the neighbors septic systems; it only potentially affects the proposed well to serve the applicant, I recommend that the requested (and non-requested) offset reductions be approved, with the following conditions – 1) Seasonal public water be used whenever available and a permanent connection be made within 90 (ninety) days if year round public water becomes available. 2) All connections must meet the MA plumbing code and any and all Essex requirements. 3) The existence of this well approval and the above conditions be recorded at the Southern Essex Registry of Deeds, with proof of the recording sent to the BOH office, prior to issuance of a well drilling permit.

G. Meetings Attended (for information only)

None

H. Complaints

(1) John Wise Ave.,

We received a complaint of helicopter spraying close to the ground. The woman said that she & her grandchild were sprayed when out in the yard. She said there were no markings on the helicopter.

I told her that I was unaware of any spraying & the only thing I could think of, if she lived close to the Ipswich border, would be mosquito spraying of marsh mosquitoes. I would check with mosquito control & have them contact her. I phoned mosquito control & left a voice message. I then called the Ipswich BOH to see if they were aware of spraying. The BOH Director said they may be spraying, as the season for it is Aug. 2 – 12. She gave me the new Mosquito Control Director's name & cell phone. I contacted him & spoke about the complaint. He was concerned that she said she felt the spray, as they only use an ultra fine mist.

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He would contact his pilot. I gave him the woman's contact info. Mr. Mehaffey stated he would stop by to visit her and give me an update.

Update: Mr. Mehaffey did speak to the complainant. She told him that her car was dripping from the spray. Mr. Mehaffey again stated that it is only an ultra fine spray & that would not happen. He told me that they use BUI, which is approved for spraying on farms, and with the GPS & other equipment on the helicopter they can track exactly where they spray - they did not even spray close to her property. He left it with the complainant that they would be sure not to spray at all close to the property.

Recommendation: Informational only.

(2) Forest St.,

We received a complaint through Selectman David Dunn. Someone told him about the conditions on the right hand side of Forrest St. There is a dump trailer, trash & equipment out back.

I inspected. There is a trailer parked on the street full of refuse – folding tables, bucket, cooler..., but it is all contained. It looks like an area of a building is being cleaned out. There were some construction vehicles in the yard (which I don't believe is an offense), and approx. 6 trash barrels; 2 of which were overflowing with non-garbage refuse.

Recommendation: Discussion. Although the yard is overgrown & cluttered, I don't think this rises to being a violation.

I. Hazards Abated Via Enforcement Orders

None

J. Other Issues

(1) Donovan, Indian Hill Farm Subdivision, Map X, Lot X *

I reviewed the definitive subdivision plan for this property, off of Choate St. The plan shows 4 parcels, Parcel A, 1-A, 3-A, and Lot 1. Lot 1 is accessible via an existing right of way from Choate St.; the other parcels are delineated as "not a building lot". Lot 1, the 47.8 Acre building lot, has not yet been soil tested. There are scattered wetlands and a brook on the property, but these will be under Conservation Commission jurisdiction.

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Recommendation: I recommend that a letter go to the Planning Board stating that the BOH has no objections to the subdivision plan as submitted and that BOH approval of the subdivision does not constitute BOH approval of lot 1 as a building lot until BOH requirements for water and sewage disposal are met.

(2) Food Inspector - job description & pay *

Our food inspector is looking for clarification as to her specific duties. She has also not received an hourly pay increase since she started performing inspections for us, approx. 5 years ago.

Recommendation: Discussion.

Leave Use Notification *

I will be physically leaving my job, effective August 24, with Erin Kirchner starting in the Administrator/Agent position on that date. I will, however, be officially employed until Sept. 30; but am planning to use my allotted vacation & personal days for the month of Sept. – with 1 additional day left over.

Because I am retiring, I am also entitled for a 20% buyback of my unused sick time. I am not sure of the exact number at this time or the specific process. I don't know if Board approval of the time is necessary, or if it is approved by the Town Administrator/personnel officer, but I am requesting Board approval in case it is needed.

Recommendation: I am asking that you sign the above request forms – with the blank sick use form to be held by the Clerk and passed to the Town Administrator or Accountant to complete and process if necessary.

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

(1) Tobacco Compliance Check *

The NS/Cape Ann Tobacco Policy program conducted a compliance check on 7-28-15. Scooners Market sold to a minor. Per our by-law prohibiting sale of cigarettes to minors, section J-1, a \$100 fine is due to the establishment.

Recommendation: Signature of the notice of violation & fine.

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(2) I/A System Inspection, Kelly, 97 Conomo Point Rd.*

I reviewed the annual I/A inspection report for 97 Conomo Point Rd. This is a routine inspection required for Alternative/Innovative (I/A) systems. The inspector, James Griffin, is recommending to the owner that 2 broken valve boxes in the s.a.s. be replaced.

Recommendation: I recommend that we send a letter to the homeowner stating that the Board has reviewed the routine inspection report, noted the inspector's recommendation, and requires that the valve boxes be replaced, as recommended.

(3) I/A System Inspection, Lowland Farm Lot 4 Condo, 18, 20, 22 Lowland Farm Rd.*

I reviewed the annual I/A inspection report for Lowland Farm Lot 4 Condo, 18, 20, 22 Lowland Farm Rd. This is a routine inspection required for Alternative/Innovative (I/A) systems. The inspector, Mario Rosa, is recommending to the owner that inlet & outlet covers be brought to grade (as required by BOH regulations) for access & also noted that the control panel is not alternating properly.

Recommendation: I recommend that we send a letter to the condo association stating that the Board has reviewed the routine inspection report, noted the inspector's comments, and requires that the manhole covers be brought to grade, as required by Essex regulations and the control panel have necessary work done to function properly.

L. Cisterns

(1) 16 Lufkin Point Rd., Woods, Map 109, Lot 015*

Per the Board's approval for the owner of this property to proceed with cistern use on this property, I reviewed the required submitted design information along with previously submitted plans & info. and find all required/requested information acceptable. The plumbing inspector & Water Dept. have notified us that they have no objections to the proposed cisterns.

Recommendation: I recommend acceptance of the submitted plans and approval of the cistern as proposed, with the following conditions –

- *Construction of the cistern must be personally overseen by the designer to assure that all construction requirements are met and certification to the*

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BOH by the designer must be submitted after completion of construction & prior to issuance of a certificate of occupancy.

- *Prior to issuance of a Building construction permit for this property, notification of the cistern's existence and required approval conditions must be recorded for the property at the Southern Essex Registry of deeds to follow the property deed for the life of the use and/or existence of the cistern. Required recorded conditions are -*
 - (1) Property must connect to seasonal town water whenever it's available and fully transfer to year round municipal water upon availability.*
 - (2) The cistern must be filled only with approved potable water.*
 - (3) Annual bacterial water testing of water from the cistern in the month of October is required with results copied to the Board of Health.*

(2) 14 Lufkin Point Rd., Swanson, Map 109, Lot 014*

Per the Board's approval for the owner of this property to proceed with cistern use on this property, I reviewed the required submitted design information along with previously submitted plans & info. and find all required/requested information acceptable. The plumbing inspector & Water Dept. have notified us that they have no objections to the proposed cisterns.

Recommendation: I recommend acceptance of the submitted plans and approval of the cistern as proposed, with the following conditions –

- *Construction of the cistern must be personally overseen by the designer to assure that all construction requirements are met and certification to the BOH by the designer must be submitted after completion of construction & prior to issuance of a certificate of occupancy.*
- *Prior to issuance of a Building construction permit for this property, notification of the cistern's existence and required approval conditions must be recorded for the property at the Southern Essex Registry of deeds to follow the property deed for the life of the use and/or existence of the cistern. Required recorded conditions are -*
 - 1. Property must connect to seasonal town water whenever it's available and fully transfer to year round municipal water upon availability.*
 - 2. The cistern must be filled only with approved potable water.*
 - 3. Annual bacterial water testing of water from the cistern in the month of October is required with results copied to the Board of Health.*

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(3) 12 Lufkin Point Rd., Rock Haven Irrevocable Trust I & II, Map 109, Lot 013*

Per the Board's approval for the owner of this property to proceed with cistern use on this property, I reviewed the required submitted design information along with previously submitted plans & info. and find all required/requested information acceptable. The plumbing inspector & Water Dept. have notified us that they have no objections to the proposed cisterns.

Recommendation: I recommend acceptance of the submitted plans and approval of the cistern as proposed, with the following conditions –

- *Construction of the cistern must be personally overseen by the designer to assure that all construction requirements are met and certification to the BOH by the designer must be submitted after completion of construction & prior to issuance of a certificate of occupancy.*
- *Prior to issuance of a Building construction permit for this property, notification of the cistern's existence and required approval conditions must be recorded for the property at the Southern Essex Registry of deeds to follow the property deed for the life of the use and/or existence of the cistern. Required recorded conditions are -*
 1. *Property must connect to seasonal town water whenever it's available and fully transfer to year round municipal water upon availability.*
 2. *The cistern must be filled only with approved potable water.*
 3. *Annual bacterial water testing of water from the cistern in the month of October is required with results copied to the Board of Health.*