

Administrator's Report
Board of Health Meeting of December 12, 2019

Report covers from 11/14 – 12/11/19

Items requiring Board vote are noted with an asterisk ()*

A. Inspection Report Reviews

(1) 24 Choate Street, Difazio, Map 105, Lot 3*

I have reviewed the report for the official Title 5 inspection conducted at this property on November 2, 2019 by George Norris. The inspector has noted that the private drinking water well is located approximately 48' from the SAS, and as such, as conducted a water analysis to determine if the septic system is impacting the drinking water. The lab analysis has noted a nitrate level of 5.4ppm; Title 5 regulations, specifically 310 CMR 15.303, state that the maximum acceptable level of nitrate nitrogen is 5ppm, and therefore the system is failing to protect public health and/or the environment. However, the inspector has also noted that the system appears to otherwise be functioning as required, and is not sited within the water table. The property owner may be able to address this issue by relocating the well to achieve the minimum setback requirements.

Recommendation: I recommend the Board of Health send a letter to the property owner stating that we have reviewed the Title 5 report and associated documents for the inspection conducted on November 2, 2019 by George Norris. The inspector has noted that the well is less than 50' from the soil absorption system and the amount of nitrate nitrogen found in the drinking water is greater than the maximum acceptable limit of 5ppm. The inspector has also noted that the system does not meet any other failure criteria, and therefore, the property owner shall either upgrade the system or relocate the private well to meet the setback requirements no later than November 2, 2021. It is also recommended that the property owner contract with a private well company to disinfect the well to ensure clean drinking water until this issue is addressed.

B. Soil Evaluations / Waiver Explorations

None.

(C) Septic System Design Plan Reviews

(1) 175 Conomo Point Road, Bryer, Map 108, Lot 30*

This septic plan, designed by John Judd and dated November 12, 2019 has been reviewed. The plan is for a tight tank designed to accommodate a 3-bedroom dwelling. The following technical errors or deficiencies were noted during the review: there are not clean-out covers to grade at every change in elevation or direction as required; and the daily flow calculations are incorrect.

Recommendation: I recommend the Board of Health send a letter to the property owner stating the tight tank plan, designed by John Judd and dated November 12, 2019 is disapproved.

D. Septic System Installations/Abandonments (informational only)

(1) 11 Conomo Lane, Reed, Map 108, Lot 25

I signed the Certificate of Compliance for the two tight tanks recently installed at this property.

Administrator's Report
Board of Health Meeting of December 12, 2019

Report covers from 11/14 – 12/11/19

Items requiring Board vote are noted with an asterisk ()*

(2) 12 Wood Drive, Camp, Map 154, Lot 9

I completed the final inspection for the installation of the new septic system at this property. This system is designed to accommodate the existing one-bedroom cabin and a future 3-bedroom home. Currently, only the cabin is connected to the new system.

(3) 12 Choate Street, Pereen, Map 106, Lot 13

I witnessed the installation and signed the Certificate of Compliance for the new septic system installed at this property.

(4) 67 Main Street, Guarnera, Map 128, Lot 161

The property owner contracted with a septic professional to abandon the septic system components and connect the property to municipal sewer. The contractor failed to obtain proper permits prior to commencing work; I will send a letter to both the contractor and the property owner reminding them of this requirement.

(5) 124 Conomo Point Road, Lawler, Map 108, Lot 67

I witnessed the vacuum test of the new holding tank being installed at this property.

E. Well Water Supply

None

F. Building Permit Applications

(1) 11 John Wise Avenue, Town of Essex, Map 128, Lot 90

I signed the building permit application to construct a new public safety building at this location.

G. Complaints/Other

(1) 29 Eastern Avenue, Gagnon, Map 136, Lot 47

I received a complaint from the occupant of this property, about the presence of mold as a result of a leaking roof. The occupant, Ms. Gagnon, requested an inspection and a follow-up order to correct issued to the property owner. Upon speaking with the occupant in person at the property, it was revealed that Ms. Gagnon is one of the property owners, and the co-owner is not cooperating in addressing this leaking roof. I did note areas in the dwelling that could be the result of a leaking roof; however, I do not have the required level of knowledge to determine exactly what is happening. Ms. Gagnon stated that she had an appointment with a licensed professional to visit the property and provide her with an estimate; I asked Ms. Gagnon to forward this information to me, so that I am able to follow-up on this issue.

Recommendation: None – informational only.

Administrator's Report
Board of Health Meeting of December 12, 2019

Report covers from 11/14 – 12/11/19

Items requiring Board vote are noted with an asterisk ()*

(2) Schooners Underage Alcohol Sales

We received a complaint that Schooners is selling alcohol to individuals under the age of 21. The complainant stated in an email that she knew the children who were purchasing alcohol with (someone's) identification, and both she and her husband witnessed this activity on multiple occasions. The complaint went to Board of Health and the Town Administrator, and the complainant requested that this issue be dealt with. She was informed by both BoH Administrator and Town Administrator that there was very little we could do from a regulatory perspective unless we had proof that this was happening; the Town Administrator passed the information on to the Board of Selectmen (acting as the Licensing Board), and they will send a letter to Schooners. This information was also forwarded to the Police Chief.

Recommendation: None – informational only.

H. Meetings Attended (informational only)

(1) All Hazards Preparedness for Animals in Disasters

I attended this Emergency Preparedness training in Westborough on December 4th. This training focused on how animals add another layer of public health concern during disasters (such as during a flood event or potential terrorist event impacting the food supply).

(3) Tabletop Exercise Planning

We've held two planning sessions at Town Hall in preparation for the coalition-wide regional drill scheduled for January 9, 2020. During these planning sessions, we've reconfigured our Emergency Dispensing Site (EDS) plan, and discussed some of the issues that might arise during the drill as well as the individual and team responsibilities during situations like this.

(4) Tobacco Updates

In response to the pending expiration of the emergency ban on the sale of vaping products in Massachusetts, tobacco control legislation was signed into law on November 27, 2019 which formally regulates electronic nicotine delivery systems (e-cigarettes, or vape products) and flavored tobacco products. The signing of the law resulted in a subsequent regulation, 105 CMR 665: Minimum Standards for Retail Sale of Tobacco and Electronic Nicotine Delivery Systems, which prohibits the sale of all flavored e-cigarette and other tobacco products, as well as the sale of any vaping products that have a concentration of nicotine greater than 35 mg/mL. Menthol products are permitted for sale until June 1, 2020, at which point menthol will be added to the list of restricted flavors. There are also signage requirements and advertising restrictions, as well as financial penalties starting at \$1000 per violation of this regulation.