

Administrator's Report
Board of Health Meeting of January 23, 2020

Report covers from 12/12/19 – 01/22/20

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

A. Inspection Report Reviews

(1) 234 John Wise Avenue, 234 John Wise LLC, Map 105, Lot 19*

I have reviewed the Title 5 report for the inspection at this property, conducted by Jonathan Granz on November 16, 2019. The inspector has noted that the system is functioning as intended.

Recommendation: I recommend the Board of Health send a letter to the property owner stating we are in agreement with the determination of the inspector, Jonathan Granz, and that the system passes the official Title 5 inspection conducted on November 16, 2019. The next routine quarterly inspection shall be conducted by February 16, 2020. The next routine grease trap pumping shall be done by December 26, 2019.

(2) 12 Lowe Hill Road, Cooper, Map 134, Lot 29*

I have reviewed the Title 5 report for the inspection at this property, conducted by George Norris on December 6, 2019. The inspector has noted that the system is functioning as intended and passes the Title 5 inspection.

Recommendation: I recommend the Board of Health send a letter to the property owner stating we are in agreement with the determination of the inspector, George Norris, and that the system passes the official Title 5 inspection conducted on December 6, 2019. This system, designed for 4 bedrooms, includes an effluent filter that should be cleaned annually; in addition, septic tanks that are part of a system that accepts waste from a garbage grinder should be pumped annually.

(3) 167 Conomo Point Road, Murphy, Map 108, Lot 34*

I have reviewed the Title 5 report for the inspection at this property, conducted by John Duncan on December 6, 2019. The inspector has noted that the tight tank is functioning as intended.

Recommendation: I recommend the Board of Health send a letter to the property owner stating we are in agreement with the determination of the inspector, John Duncan, and that the system passes the official Title 5 inspection conducted on December 6, 2019. The next routine inspection of the tight tank at this property is due no later than December 6, 2024, or sooner if there is indication of an issue. The tight tank serving this seasonal property shall be pumped at least every 5 weeks during the period between April 15 and October 15, as the dwelling is limited to use during this time.

B. Soil Evaluations / Waiver Explorations

(1) 4 Belcher Street, Adams, Map 128, Lot 18

I witnessed the soil test as the first step in repairing the failed septic system at this property.

(2) 43 Belcher Street, Virden, Map 119, Lot 5

I witnessed the soil test as the first step in repairing the failed septic system at this property.

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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 with a revision date of December 10, 2019 has been reviewed. The plan is for a tight tank designed to accommodate a 3-bedroom dwelling and the engineer has made all necessary corrections.

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, with a revision date of December 10, 2019 is approved. Prior to the issuance of a Disposal Works Construction Permit, the leaseholders shall provide to the Board of Health a contract with a licensed septage hauler as well as the Conomo Point Tight Tank Addendum, signed by leaseholders and the Conomo Point Commissioners.

(2) 102 Apple Street, Gibson, Map 148, Lot 3*

This septic plan, designed by John Judd and dated December 5, 2019, has been reviewed. The proposed system is suitable for a 5 bedroom home using the new construction standards, and shows both a primary and a reserve leaching area, as required. The plan meets all other state and local design standards for a new construction septic system.

Recommendation: I recommend the Board of Health send a letter to the property owner stating the proposed system, designed by John Judd and dated December 5, 2019 is approved. Prior to the issuance of a permit to drill the well, the Board of Health must receive a sketch showing the proposed well is more than 100' from the proposed primary and reserve leaching areas.

D. Septic System Installations/Abandonments (informational only)

(1) 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

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

It was discovered that there was a private drinking water supply well on this property that was never properly abandoned. After discussion with the contractor, as well as with George Rollins, well driller, it was determined that this was only a very shallow, hand dug well rather than a traditional drilled well. Mr. Rollins agreed that it was not necessary to abandon this well in the same way a drilled well needs to be sealed, and it was suitable/standard for the contractor to simply fill this hole with the same clean fill material that is located on the site.

Recommendation: None – informational only.

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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) 101 Southern Avenue, Erkel & Erkel LLC, Map 140, Lot 58

In response to a complaint from the occupant of this property, I conducted an inspection of her apartment as well as the common areas in the basement and around the exterior of the dwelling. As the initial complaint was regarding the gas boiler and connections related to the boiler, I requested the Plumbing Inspector (Rick Corriere) accompany me on this inspection. Various violations were found including improperly connected gas meters, a missing CO detector, broken windows, evidence of rodents, and a basement door that cannot be properly secured. An order to correct was sent to the property owner outlining the violations as well as the timeline allowed to correct each violation.

Recommendation: None – informational only.

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

We received a Title 5 inspection report for this property that included a water test indicating high nitrate nitrogen levels, outside the acceptable limits. The water test was conducted because the SAS is within the setback distance from the drinking water well. Title 5 regulations, specifically 310 CMR 15.303(1)(c) state that any system “within 50’ to a private drinking water supply well is failing to protect public health” and therefore the system fails. However, the system inspector, George Norris, documented in his inspection report that the system appears to be otherwise functioning.

Our recommendation to the property owner was to drill a new well outside the minimum setback distance, or to relocate the septic system, after hiring a professional to conduct a soil evaluation and design a new system. Title 5 regulations do not allow for another option in cases such as this, since the system meets the failure criteria and no other waivers or variances can be granted.

H. Meetings Attended (informational only)

- (1) Tabletop Exercise

We participated in a tabletop exercise practicing our emergency dispensing site (EDS) capabilities. This drill, completed with the other communities in our emergency preparedness region, allowed us to test our knowledge in opening an EDS in Essex, as well as to determine what areas need improvement in the event we need to dispense medications or prophylaxis to a large percentage of our community.

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(2) 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. The Tobacco Control Program has provided us with a template info sheet for court staff and tobacco retailers, so they are aware of these changes.

Recommendation: Discussion, and signing of the letter to the Gloucester District Court clerk-magistrate.