

BOARD OF HEALTH

MINUTES

11-9-17

Town Hall, 30 Martin Street, Essex, MA

Dr. Driscoll, Chair / Medical Director and Ms. Papps, Clerk, present. Dr. Mouchantaf, not present. Ms. Kirchner, Health Agent, and Ms. White, Administrative Clerk, present.

7:01 pm, Dr. Driscoll opened the meeting and announced it was being recorded.

- **Appointments**

7:15 pm: Hearing, 55 Main Street & 7:30 pm: Hearing, 66 Main Street, see Other Concerns, Issues & BOH Business below.

- **Minutes**

October 25, 2017: Dr. Driscoll entertained a motion for the Board to approve the minutes, as written for October 25, 2017. Ms. Papps so moved. **Vote: All in Favor.**

Minutes are available for review in the Board of Health office

- **Bills Payable**

#559, \$820.64: Dr. Driscoll entertained a motion for the Board to sign bills payable #559 in the amount of \$820.64. Ms. Papps so moved. **Vote: All in Favor.**

Bills Payable are available for review in the Town Accountant's office.

- **Title 5 Inspection Reports**

1 Laurel Lane, Drinkwater, Map 209, Lot 29: Tabled

101 Southern Avenue, Atherton, Map 140, Lot 58: Dr. Driscoll entertained a motion for the Board to sign and send a letter to Atherton stating that the Board is in agreement with the determination of inspector, George F. Norris, that the system serving this property passed the 10-6-17 Title 5 inspection. Further, as the inspector noted significant solids build-up in the septic tank, the Board recommended pumping the tank to prevent solids carryover into the SAS. Ms. Papps so moved. **Vote: All in Favor.**

Title 5 Inspection Reports are available for review in the Board of Health office.

- **Septic Plan Reviews**

122 Conomo Point Road, Fitzpatrick, Map 108, Lot 68: Dr. Driscoll entertained a motion for the Board to approve the five bedroom tight tank design plan for 122 Conomo Point Road, designed by John Judd, and dated October 16, 2017. The Board also approved the requested two variances: to situate a holding tank within 10' of the property; and to reduce the 12" separation requirement between the tank invert and the seasonal high water table. Infiltration and exfiltration will be prevented with the use of neoprene boot seals. Prior to the issuance of a Disposal Works Construction Permit, the Board of Health must be in receipt of a signed copy of the "Lease Addendum Tight Tank Notification" with signatures of all lessees as well as the Conomo Point Commissioners and a contract for pumping must be submitted to the BOH. Ms. Papps so moved. **Vote: All in Favor.**

172 John Wise Avenue, Campagna, Map 106, Lot 8: Dr. Driscoll entertained a motion for the Board to disapprove the subject septic plan for 172 John Wise Avenue, designed by Dan Johnson and dated November 6, 2017. The following technical deficiencies or errors in the proposed design were noted:

1. There are discrepancies in the flow calculations,
2. Retaining wall details are not certified by a P.E.,
3. Information is not available online for the pump motor specified (Pentair?)
4. Lastly, as discussed via email, it makes technical sense to use a larger combination tank (1500/500 vs 1000/500) or a Pro-Step insert in order to provide more settling time for solids and to prevent carryover into the leachfield. While this is not a requirement under Title 5 regulations, it is in the property owners' best interests to protect the leachfield for as long as possible, considering the poor soils in this area. Ms. Papps so moved. **Vote: All in Favor.**

Discussion, tight tank, DownRiver Ice Cream, 241 John Wise Avenue. Dr. Driscoll entertained a motion for the Board to approve the change in use for this building, served by a tight tank, from ice cream manufacture and sales only to ice cream manufacture and sales for part of the year and coffee and prepared pastries for the other part of the year. Food service permit(s) for 2017 will be amended to reflect this change. Ms. Papps so moved. **Vote: All in Favor.**

Septic Plans are available for review in the Board of Health office.

- **Other Concerns, Issues & BOH Business**

Condemnation hearing, 55 Main Street, Map 128, Lot 166: Dr. Driscoll opened the hearing. Ben Martin, occupant, & Mark Ricci, owner, of 55 Main Street in attendance. Discussion of Ms. Kirchner's 11-2-17 inspection of this commercial space. Dr. Driscoll entertained a motion for the Board to have Ms. Kirchner send a letter to Ricci and Martin stating that property at 55 Main Street does not meet MA Housing Code Minimum Standards for Housing, as discussed at the BOH condemnation hearing held on November 9, 2017. The Board voted to allow Mr. Martin up to 30 days to find other housing accommodations. Ms. Papps so moved. **Vote: All in Favor.** Dr. Driscoll closed the hearing.

Condemnation hearing, 66 Main Street, Map 128, Lot 152: Dr. Driscoll opened the hearing. Dr. Driscoll, due to a conflict of interest, recused himself from the hearing. With no quorum for discussion or vote, the hearing was tabled until the next regularly scheduled BOH meeting, December 14, 2017. Dr. Driscoll closed the hearing.

- **Permits**

Dr. Driscoll entertained a motion for the Board to approve the Amended Retail Food Permit #15, DownRiver Ice Cream, 241 John Wise Avenue, changing the expiration date from 12/31/17 to 10/15/17. Ms. Papps so moved. **Vote: All in Favor.**

Dr. Driscoll entertained a motion for the Board to approve Retail Food Permit #18, DownRiver Ice Cream (Coffee), 241 John Wise Avenue, for drive through coffee and prepared pastries, valid 11/15/17 – 12/31/17. Ms. Papps so moved. **Vote: All in Favor.**

Ms. Papps made a motion for the Board to approve TFE Permit #33, Breakfast with Santa, Essex Elementary School, December 2, 2017, 8 – 11 am. Dr. Driscoll seconded the motion. **Vote: All in Favor.**

Ms. Papps made a motion for the Board to approve the 2018 PERMIT RENEWALS as listed below. Dr. Driscoll seconded the motion. **Vote: All in Favor.**

Disposal Works Installers Permit #5, Phillip R. Stenersen

Food Establishment Permit #2, Essex Fire Department, 24 Martin Street

Keeping of Stable Animals Permits:

#1, Ellen Attridge, 8 Dodge Street

#2, Mr. & Mrs. Charles Storey, 143 John Wise Avenue

#3, Clayton Brooks, 125 Eastern Avenue

Septage Hauler Permit #1, Wind River Environmental

- **Items that could not be reasonably anticipated by the Chairman within 48 hours of meeting**
None.

Dr. Driscoll closed the meeting at 7:59 pm.

Next BOH meeting: 12-14-17

Prepared by _____
Ann White

Attested by _____
Allison Papps, Board of Health Clerk