

**BOARD OF HEALTH**  
Town of Essex, MA

**MINUTES**

**11-24-20**

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting will be conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the town's website, at [www.essexma.org](http://www.essexma.org). For this meeting, members of the public who wish to listen to the meeting may do so via Conference Call. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the town's website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.

**The call-in number: 717-275-8940. The access code: 8378315.**

Dr. David Driscoll, Chairperson, entertained a motion to open the meeting at 7:03 pm. He announced that the meeting was being held virtually. Ms. Sally Ann Rich, Member, seconded the motion. Dr. Mouchantaf, Member, was not in attendance. Ms. Kirchner, BOH Administrator, and Ms. White, Administrative Clerk, participated remotely. Also joining the meeting remotely, Mr. Timothy Lehr, for Mrs. Jean Appeltofft, 5 Cogswell Road.

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

5 Cogswell Road, Appletofft, Map 110, Lot 28: Discussion. After a failed Title 5 in June 1998, the owner acknowledged the septic system was in failure and a new system was designed and approved by the Board of Health in January 2016. A second opinion Title 5 report was conducted by inspector John Duncan in October 2020. He found that though the system was functioning as intended, the soil absorption system was full to the top, with effluent breaking out at the surface and along the sides of the pit. He acknowledged that it appears repairs have been made. Those repairs were not permitted nor inspected by the BOH. DEP indicates that a second opinion inspection is typically done within weeks or months of the initial inspection to either refute or confirm the findings. That was not done in this case; the homeowner had already started the process to bring the failed system into compliance.

Copies of the Title 5 reports and approved septic plan will be emailed to Mr. Lehr at his request.

Dr. Driscoll entertained a motion for the Board to reject the determination of the second inspection and, within one year, require the homeowner, Mrs. Appeltofft, to install the new system that was approved by the BOH in 2016. Ms. Rich seconded the motion. **Vote: All in Favor.**

Ms. Rich made a motion to close the meeting at 7:20 pm. Dr. Driscoll so moved.

Next BOH meeting: 12-10-20.

Prepared by: \_\_\_\_\_  
Ann White

Attested by: \_\_\_\_\_  
Erin Kirchner, RS, Board of Health Administrator

Signed date: \_\_\_\_\_