

# ESSEX BOARD OF HEALTH

# MINUTES

February 10, 2011, at the T.O.H.P. Burnham Public Library,  
30 Martin Street, Essex, MA

**Dr. Driscoll, Medical Director and Chair, Ms. Sanders, Clerk, Martha Mazzarino, Member, and Ms. Wozny, Health Agent, present.**

6:50 p.m. Dr. Driscoll opened the meeting and announced that the meeting is being recorded.

Other Business:

- **Appointments**

None scheduled. Ben Lower, contractor, and Mr. Beale, one of the owners, in attendance regarding the building permit application for 40 Spring Street.

- **Minutes**

None

- **Bills Payable**

Ms. Sanders asked about the Parking Violation (\$35.00) included in bills payable that Ms. Wozny received while in Worcester representing the Town of Essex vs. Bill Allen in court on 2/7/11. The snow banks were so far from the curb that there was no access to the meters, The ticket was for blocking the road although Ms. Wozny was parked as close to the snow bank as possible, along with numerous other parked vehicles. Traffic still flowed easily in the remaining street lanes. Ms. Wozny showed pictures to the Board of the parking conditions in front of the court house that day in Worcester. Ms. Sanders made a motion for the Board to approve bill payable #392, in the amount of \$345.65, including the parking ticket. Dr. Driscoll seconded the motion. **Vote: All in Favor.**

- **Title 5 Report Reviews**

None

- **Septic System Design Plan Reviews**

84 Choate Street, Clark, Map 16, Lot 10: Dr. Driscoll entertained a motion for the Board to disapprove the septic system design for Clarke, 84 Choate Street, Map 16, Lot 10, dated 1/5/11, for the 8 reasons listed in the Agent's Report. Ms. Sanders so moved. **Vote: All in Favor.**

*Septic system plans are available for review in the BOH office.*

- **Building Permit Applications & Occupancy Permits**

40 Spring Street, Hayward, Map 14, Lot 1-1B: Dr. Driscoll entertained a motion for the Board to table Hayward's building permit application for 40 Spring Street, Map 14, Lot 1-1B until bedroom count is confirmed, by a walk through inspection by Ms. Wozny, and if only 2 bedrooms exit, a required Title 5 inspection be done on the property due to the proposed increased living area or the property is connected to the public sewer. Ms. Sanders so moved. **Vote: All in Favor.**

55 John Wise Avenue, Curlew Cove Realty Trust, Map 18, Lot 6-6A, (*demolition*): Dr. Driscoll entertained a motion for the Board to have Ms. Wozny endorse Curlew Cove Realty Trust's building permit application to demolish the two story barn at 55 John Wise Avenue, Map 18, Lot 6-6A. Ms. Sanders so moved. **Vote: All in Favor.**

***Building permit applications are available for review in the Building Inspector's office.***

- **Other Issues**

Ms. Sanders made a motion for the Board to approve Food Service Establishment Permits as listed below. Ms. Mazzarino seconded the motion. **Vote: All in Favor.**

- #19, Essex Pizza & Restaurant
- #20, Chive, Sustainable Event Design & Catering, LLC
- #21, Essex River Cruises, Inc.
- #22, Village Restaurant of Essex
- #23, Red Barrel, Inc.
- #24, Eben Creek Corp., dba J. T. Farnham's
- #25, Windward Grille, LLC

Ms. Sanders made a motion for the Board to approve Retail Food Establishment Permit #8, Maia, dba Dunkin' Donuts. Ms. Mazzarino seconded the motion. **Vote: All in Favor.**

Ms. Sanders made a motion for the Board to approve Milk & Cream Permit #7, Village Market. Ms. Mazzarino seconded the motion. **Vote: All in Favor.**

Ms. Sanders made a motion for the Board to approve Camp, H/Motel, B & B #1, George Fuller House B & B. Ms. Mazzarino seconded the motion. **Vote: All in Favor.**

Ms. Sanders made a motion for the Board to approve Disposal Works Installer's Permit #26, Michael L. Church. Ms. Mazzarino seconded the motion. **Vote: All in Favor.**

Ms. Sanders made a motion for the Board to approve Disposal Works Installer's Permit #27, James Fitzgerald and, further, to grant his request to waive the grace period deadline due to extenuating family circumstances. The Board asked that a letter be written to Mr. Fitzgerald resting that he honor the deadline in the future. Ms. Mazzarino seconded the motion. **Vote: All in Favor.**

Ms. Sanders made a motion for the Board to approve Keeping of Animals / Stable License as listed below. Ms. Mazzarino seconded the motion. **Vote: All in Favor.**

- #21, Frank & Heather McClelland
- #22, Julia Carpenter & Thomas Nonis
- #23, Daphne L. Borden
- #24, Jay & Yvonne Ramsey
- #25, Alice A. Lovely
- #26, Tammy M. Kirby

Ms. Mazzarino made a motion for the Board to act as Clerk so as to facilitate the signing of the permits as listed above. Dr. Driscoll seconded the motion. **Vote: All in Favor.**

*Copies of signed permits are available in the BOH office.*

- **Tracking of Housing, Food Service and Other Miscellaneous Board Issues**

9 Lufkin Point Rd., Pinciaro, Map 20, Lot 1A: It has come to the BOH's attention that Mr. Pinciaro sold a portion of his property to his neighbor. This portion included a portion of the piping for his existing septic system, but did not include an easement for its location or maintenance. Dr. Driscoll entertained a motion for the Board to sign and send an enforcement order to Pinciaro, 9 Lufkin Point Road, Map 20, Lot 1A mandating correction of the easement for maintenance and repair of the system on the section of property sold, with lot line changes, to the abutter. The Board asked Ms. Wozny to phone Mr. Pinciaro to let him know an enforcement letter was coming as the change in the lot lines and sale of a section of the property to the abutter happened years ago and only recently came to the attention of the Board. Ms. Sanders so moved. **Vote: All in Favor.**

*Enforcement order is available for review in the BOH office.*

Allen Update: Ms. Wozny represented the Board of Health vs. Bill Allen at Worcester Superior Court on 2/7/11.

27 Forest Ave., Hunt, Map 34, Lot 83: Ms. Wozny represented the Board of Health vs. the Hunts in their refusal to comply with BOH orders in Gloucester District Court on 2/9/11. The case has been continued until 4/6/11 unless it's cleaned up and inspected prior to this date.

Town Meeting Articles: Discussion & Vote. Dr. Driscoll entertained a motion for the Board to sign the Town Meeting Articles as written by Ms. Wozny. Ms. Sanders so moved. **Vote: All in Favor.**

*Town Meeting Articles are available for review, once published, in the BOS office.*

Annual Report: Review, discussion and approval of the annual report. Dr. Driscoll entertained a motion for the Board to approve 2010 Annual Report as written by Ms. Wozny. Ms. Sanders so moved. **Vote: All in Favor.**

*Annual Report is available for review, once published, in the BOS office.*

Triathlon Discussion: The Board agreed to use Mike Paige of NS Timing Co. for Essex Youth Triathlon '11 and agreed for Ms. Wozny to set up a Triathlon informational booth at the Gloucester Cape Ann Chamber of Commerce Health Fair in March.

72 Hour Go Kits: NS/CA EPT Coordinator requests to purchase (2) Go Kits at the Resident rate to use as raffle items at the upcoming Health Fairs. The Board agreed to sell these at the resident price.

Keeping of Animals Regulations Review: Legal Notice is required 10 days in advance of hearing. Place on agenda in early April and advertise with suitable notice. Board will take home copies of current Keeping of Animals Regulations for review & comment.

E. Wozny, Leave Use Notification: Dr. Driscoll entertained a motion for the Board to approve Ms. Wozny's leave use notification for 1/18, 1/26, 2/3 & 1/27. Ms. Sanders so moved. **Vote: All in Favor.**

**Meeting Adjourned: 9:00 pm**

**Next BOH meeting: 2/24/11**

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

Attested by \_\_\_\_\_  
Marlene Sanders, Board of Health Clerk