

T.O.H.P. Burnham Public Library, 30 Martin Street, Essex, MA

**Ms. Sanders, Member, and Ms. Mazzarino, Clerk present. Ms. Wozny, Health Agent, present. Dr. Driscoll, Medical Director, and Chair, arrived at 7:05 pm.**

7:04 p.m. Ms. Sanders, as Acting Chair, opened the meeting and announced that the meeting was being recorded.

- **Appointments**

Unscheduled, see below:

Edward Marshall & Steve Cuthbertson, 142 Conomo Pt. Rd. Title 5

Leah Maher, 120 Conomo Pt. Rd. & 13 Town Farm Rd.'s Title 5

Jay McNiff, Builder Lots 7 & 9 Lowland Farm Septic System Design Plan

- **Minutes**

September 27, 1012: Ms. Sanders entertained a motion for the Board to approve the minutes for 9/27/12, as written. Ms. Mazzarino so moved. **Vote: All in Favor.**

***Approved minutes are available for review in the BOH office or online.***

- **Bills Payable**

Bills Payable #446, \$130.00: Ms. Mazzarino made a motion for the Board to sign bills payable #446 in the amount of \$130.00. Ms. Sanders seconded the motion. **Vote: All in Favor.**

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

- **Inspection Report Reviews**

136 Conomo Point Road - Main System, Cushing, Map 24, Lot 38: Dr. Driscoll entertained a motion for the Board to sign and send a letter to Cushing, 136 Conomo Point Road, Map 24, Lot 38 stating that the Board is in agreement with inspector Dan Johnson that the main system passed the Title 5 inspection performed on 8-15-12. However, due to the inspector's comments, the Board recommends installation of an inlet tee to prolong the life of the existing system and that the tank is pumped. Ms. Sanders so moved. **Vote: All in Favor.**

136 Conomo Point Road – Kitchen Sink System, Cushing, Map 24, Lot 38: Dr. Driscoll entertained a motion for the Board to sign and send a letter to Cushing, 136 Conomo Point Road, Map 24, Lot 38 stating that inspector Dan Johnson classified the kitchen sink system as needs further evaluation on the Title 5 inspection performed on 8-15-12. He could not find and inspect the system. All systems on a property must be inspected. The existing kitchen sink system must have a completed inspection or the flow from the sink will have to be connected to the main (passed) septic system. Ms. Sanders so moved. **Vote: All in Favor.**

7 Cogswell Road, Pingree, Map 19, Lot 50: This report was previously reviewed with the conclusion that the system was a conditional pass rather than a pass due to the notation of an existing private well within 100' of the system. The inspector has since stated that this notation was a typographical error; there is no well within 100' of the system. With this information, Dr. Driscoll entertained a motion for the Board to sign and send a letter to Pingree 7 Cogswell Road, Map 19, Lot 50 stating that the Board is in agreement with inspector Dan Johnson that the system passed the 8-21-12 Title 5 inspection. Ms. Sanders so moved. **Vote: All in Favor.**

134 Conomo Point Road, Healey, Map 24, Lot 39: Dr. Driscoll entertained a motion for the Board to sign and send a letter to Healey, 134 Conomo Point Road, Map 24, Lot 39 stating that the Board is in agreement with the determination of inspector Paul Ricker, that the system is a conditional pass of the 8-30-12 Title 5 inspection due to the existing metal septic tank. A new tank will have to be installed. Ms. Sanders so moved. **Vote: All in Favor.**

31 Cogswell Road – Main & Laundry, Touher, Map 19, Lot 27: Dr. Driscoll entertained a motion for the Board to sign and send a letter to Touher, 31 Cogswell Road, Map 19, Lot 27, stating that the Board is in agreement with inspector Paul Ricker, that the septic system serving the main house flow passed the 8-21-12 Title 5 inspection, however, the Board disagrees with the determination that the separate laundry system passed the inspection due to the fact the laundry was classified as a failure in a joint system inspection report from 1998. This report was followed by an enforcement order, dated 8-11-98, that mandated the owner retain the services of an Essex licensed septic system installer to properly abandon the failed laundry cesspool within two years of the original inspection date or no later than 7-8-00. The enforcement date of Conomo Point failed systems was later extended and this system was not abandoned. The recent Title 5 inspection which classifies the system as a "pass", cannot override the 1998 failure determination. Ms. Sanders so moved. **Vote: All in Favor.**

96 Conomo Point Road, Landry, Map 19, Lot 48: Dr. Driscoll entertained a motion for the Board to sign and send a letter to Landry, 96 Conomo Point Road, Map 19, Lot 48, stating that the Board is in agreement with inspector Paul Ricker, that the system passed the 8-30-12 Title 5 inspection. Ms. Sanders so moved. **Vote: All in Favor.**

103 Conomo Point Road, Mauceri, Map 19, Lot 98: Dr. Driscoll entertained a motion for the Board sign and send a letter to Mauceri, 103 Conomo Point Road, Map 19, Lot 98, stating that the Board is in agreement with inspector Paul Ricker, that the system passed the 8-16-12 Title 5 inspection. Ms. Sanders so moved. **Vote: All in Favor.**

110 Conomo Point Road, Marsolais, Map 19, Lot 88: Dr. Driscoll entertained a motion for the Board to sign and send a letter to Marsolais, 110 Conomo Point Road, Map 18, Lot 88, stating that the Board is in agreement with inspector Paul Ricker that the system passed the 8-16-12 Title 5 inspection. However the inspection notes the existence of a garbage grinder for which the system was not designed to accommodate and the Board recommends removal of the garbage grinder to prolong the life of the existing system. Ms. Sanders so moved. **Vote: All in Favor.**

120 Conomo Point Road, Maher, Map 24, Lot 45: Dr. Driscoll entertained a motion that the Board sign and send a letter to Maher, 120 Conomo Point Road, Map 24, Lot 45 stating that the Board is in agreement with inspector Paul Ricker, that the system failed the 8-31-12 Title 5 inspection. Ms. Sanders so moved. **Vote: All in Favor.**

17 Middle Road, Lemcke & Dezries, Map 24, Lot 31: Dr. Driscoll entertained a motion for the Board to sign and send a letter to Lemcke/Dezries, 17 Middle St., Map 24, Lot 31, stating that the Board is in agreement with the determination of the inspector Paul Ricker, that the system passed the Title 5 inspection performed on 8-16-12. Ms. Sanders so moved. **Vote: All in Favor.**

19 Middle Road, McGrath, Map 24, Lot 30: Dr. Driscoll entertained a motion for the Board to sign and send a letter to McGrath, 19 Middle Road, Map 24, Lot 30, stating that the Board is in agreement with the determination of the inspector Paul Ricker, that the system failed the Title 5 inspection performed on 8-27-12. This system is shared with house #21. Ms. Sanders so moved. **Vote: All in Favor.**

21 Middle Road, Holleran, Map 24, Lot 29: Dr. Driscoll entertained a motion for the Board to sign and send a letter to Holleran, 21 Middle Road, Map 24, Lot 29, stating that the Board is in agreement with the determination of the inspector Paul Ricker, that the system failed the Title 5 inspection performed on 8-27-12. This system is shared with house #19. Ms. Sanders so moved. **Vote: All in Favor.**

4 Robbins Island Road, Dorrow, Map 19, Lot 58: Dr. Driscoll entertained a motion for the Board to sign and send a letter to Dorrow, 4 Robbins Island Road, Map 19, Lot 58, stating that the Board is in agreement with the determination of inspector Paul Ricker, that the system failed the 8-20-12 Title 5 inspection. Ms. Sanders so moved. **Vote: All in Favor.**

38 Robbins Island Road, Clark, Map 19, Lot 69: Dr. Driscoll entertained a motion for the Board to sign and send a letter to Clark, 38 Robbins Island Road, Map 19, Lot 69, stating that Board is in agreement with the determination of inspector Paul Ricker, that the Title 5 inspection on 8-31-12 revealed that the system is a conditional pass due to the existing metal septic tank. A new tank will have to be installed. Ms. Sanders so moved. **Vote: All in Favor.**

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

- **Septic System Design Plan**

43 Harlow Street, Warren, Map 15, Lot 25: Dr. Driscoll entertained a motion for the Board to disapprove the septic system design plan, dated 9-4-12, for Warren, 43 Harlow St., Map 15, Lot 25, for the 4 reasons listed in the Agent's Report. Ms. Sander so moved. **Vote: All in Favor.**

52 Harlow Street, Warren, Map 15, Lot 18: Dr. Driscoll entertained a motion for the Board to disapprove the septic system design plan, dated 9-4-12, for Warren, 52 Harlow St., Map

15, Lot 18 for the 4 reasons listed in the Agent's Report. Ms. Sanders so moved. **Vote: All in Favor.**

Lowland Farm Road, Building Lot 7 & 9, Map 9, Lot 12: Dr. Driscoll entertained a motion for the Board to disapprove the septic system design plan for Lot 7 & 9 Lowland Farm Road, Map 9, Lot 12I, dated 8-8-12, for the 9 reasons listed in the Agent's Report. Further, that Ms. Wozny has the authority to approve corrected deficiencies as soon as a new plan is submitted. Ms. Sanders so moved. **Vote: All in Favor.**

***Septic System Design Plans are available for review in the BOH office.***

- **Agreement to Upgrade**

94 Conomo Point Rd., Kelley, Map 19, Lot 47: Dr. Driscoll entertained a motion for the Board to sign and send a letter to Kelley, 94 Conomo Point Rd., Map 19, Lot 47 stating that the Board is in receipt the Agreement to Upgrade a Septic System for the aforementioned property. Ms. Sanders so moved. **Vote: All in Favor.**

***Septic System Agreement to Upgrade forms are available for review in the BOH office.***

- **Building Permit Applications**

69 Eastern Avenue, North Shore Mini Storage, Map 38, Lot 55B: Dr. Driscoll entertained a motion for the Board to have Ms. Wozny endorse the building permit application dated 9-6-12, for Quinn Brothers, 69 Eastern Ave., North Shore Mini Storage, Map 38, Lot 55B to build a 6000 sq. ft., storage building with no plumbing or bathrooms. Ms. Sanders so moved. **Vote: All in Favor.**

41 R (will be 43) John Wise Avenue, Konevich, Map 18, Lot 5: Dr. Driscoll entertained a motion for the Board to have Ms. Wozny endorse the building permit application, dated 9-20-12, for Konevich, 41 R (will be 43) John Wise Ave., to build a new 4 bedroom home on the property. Note: a revised section of the septic system plan between the new house foundation location and the septic tank must be submitted and approved prior to issuance of a septic system construction permit. Ms. Sanders so moved. **Vote: All in Favor.**

***Building Permit Applications are available for review in the Building Inspector's office.***

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

Essex Clam Festival TFE: Ms. Sanders made a motion for the Board to approve and sign the Essex Clam Festival TFE permit numbers as listed below:

- #15, Woodman's of Essex, Participant
- #16, Lobsta Land Restaurant, Participant
- #17, The Farm Bar & Grille, Participant
- #18, Shea's Riverside Restaurant, Participant
- #19, J. T. Farnham's, Participant
- #20, Ipswich Clam Bake, Participant
- #21, Nana's Fried Dough, Vendor
- #22, The Happy Taco, Vendor
- #23, DownRiver Ice Cream, Vendor

#24, Mercury Brewing, Vendor

#25, The Meat House, Vendor

Ms. Mazzarino seconded the motion. **Vote: All in Favor.**

***Signed permits are available for review in the Board of Health office.***

Dr. Driscoll entertained a motion for the Board to give Ms. Wozny permission to sign Clam Festival permits as necessary. Retroactive approval will be given at the next BOH meeting. Ms. Sanders so moved. **Vote: All in Favor.**

- **Other Issues**

Mosquito Update: Discussion

Ms. Wozny, leave authorization: Dr. Driscoll entertained a motion for the Board to approve Ms. Wozny's leave authorization, as written. Ms. Sanders so moved. **Vote: All in Favor.**

- **Items that could not be reasonably anticipated by the Chairman within 48 hours of meeting**

Letter to the Planning Board Members: Dr. Driscoll entertained a motion that the Board sign a letter addressed to the Planning Board Members regarding Southern Conomo Point potable water and septic systems when said letter has been revised before the next scheduled meeting. Ms. Sanders so moved. **Vote: All in Favor.**

TFE Permit #26, Windward Grille, Essex ClamFest, participant: Ms. Sanders made a motion that the Board sign TFE permit #26 for the Windward Grille, Essex ClamFest, participant. Ms. Mazzarino seconded the motion. **Vote: All in Favor.**

TFE Permit # 27, Apple Street Farm's, Fall Harvest Festival: Ms. Mazzarino made a motion that the Board to sign TFE permit #27 for Apple Street Farm's Fall Harvest Festival. Ms. Sanders so moved. **Vote: All in Favor.**

TFE Permit #28, Cape Ann Chamber of Commerce, Coordinator's Application Essex ClamFest: Ms. Mazzarino made a motion for the Board to sign TFE #28 for the Cape Ann Chamber of Commerce Coordinator's permit #28 for the Essex ClamFest. Ms. Sanders so moved. **Vote: All in Favor.**

TFE Permit #29, Essex Cub Scouts Troop 100, Essex ClamFest, Vendor: Ms. Mazzarino made a motion for the Board to approve TFE permit #29 Essex Cub Scouts, Troop 100, for the Essex ClamFest. Ms. Sanders so moved. **Vote: All in Favor.**

Appointment, 7:15 pm, Ted Marshall, 142 Conomo Point Road, Title 5: Ted Marshall & Steve Cuthbertson were in attendance regarding the Title 5 inspection report for the property for which Ted is trustee, 142 Conomo Point Road, Crossen, Map 24, Lot 36. Dr. Driscoll made a motion for the Board to table action on Dan Johnson's Title 5 report dated 7-20-12 and allows another Title 5 inspection to be performed at such a time when an inspector, a pump company and Ms. Wozny can all be present on site. Ms. Sanders so moved. **Vote: All in Favor.**

Title 5, 3 Beach Circle, Menges, Map 19, Lot 101: Dr. Driscoll entertained a motion that the Board sign and send a letter to Menges, 3 Beach Circle, Map 19, Lot 101 stating that the Board is in agreement with inspector Dan Johnson, that the system passed the 7-20-12 Title 5 inspection and that an audio/video alarm be installed in the tank to indicate a high water warning as required under Title 5. Ms. Sanders so moved. **Vote: All in Favor.**

Dr. Driscoll closed the meeting at 8:55 pm.

**Next BOH meeting: 10/25/12**

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

Attested by \_\_\_\_\_  
Martha Mazzarino, Board of Health Clerk