



**Town of Becket
Board of Health
557 Main Street
Becket, Massachusetts 01223
(413) 623-8934 ext. 122 fax (413) 623-6036**

Meeting Minutes for January 2, 2019

Board Members Present: Gale LaBelle, I. David Krawet and Laurel Burgwardt*

Board Members Absent: None

Health Agent: Jayne Smith

Public Present: Howard Lerner and Ofer Zaarur

Call to Order

Gale LaBelle opens the meeting at 5:12 PM. Ms. LaBelle reads the rules of the meeting ensuring those attending have signed in to the meeting.

Board to review meeting minutes of August 2, 2018

Ms. LaBelle **makes a motion** to approve the meeting minutes for August 2, 2018. Ms. Burgwardt **seconds the motion**. All in favor. **Motion passes**.

*Laurel Burgwardt arrives at 5:14 PM.

Reports from Jayne Smith, Health Agent:

94 Sir Galahad Drive: Ms. LaBelle reports there is an application to decommission the well on this property. The Board recognizes Howard Lerner. Mr. Lerner gives the history of the property transfer to the Sherwood Forest Lake District (**SFLD**). He says the house will be demolished and the well also needs to be decommissioned. A thirty (30) day emergency permit was obtained from the Conservation Commission and a demolition permit was obtained from the Building Inspector. Mr. Lerner says the work is expected to be done next week and adds that there are no intentions of ever building another structure on this lot. Ms. Smith recommends approval of the application. Ms. Burgwardt **makes a motion** to approve the application to decommission the well at 94 Sir Galahad Drive. Mr. Krawet **seconds the motion**. All in favor. **Motion passes**.

19 Switter Lane: Ms. Smith says a preliminary design was submitted for approval based on percolation (perc) tests from 1981. They plan to take down the current structure and replace it with an even larger structure. Ms. Smith explains that one (1) of the perc tests is under the proposed structure. The other is right against the one-hundred foot (100') buffer zone for the wetland area. Because they will be taking down the current structure and replacing it with a larger structure with an additional bedroom, the project doesn't have the same allowances that would be given if they were replacing it with the same size structure. The engineer on the project asked if the old perc tests could be used since the water table was so high; Ms. Smith would need to confirm the soil on-site. Ms. LaBelle asks the acreage of the lot. After seeing it on the map, Ms. LaBelle asks Ms. Perotti to verify the size of the lot with the Assessors' Office. Ms. Smith feels that at least one (1) more perc will need to be done since one (1) of the old perc holes is under the proposed house. She says a new well will also need to be drilled. Ms. Smith suggests the Board make a motion based only on the Title V portion of the application and also



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advising them that they may need to go before the Planning Board and/or Building Inspector to find out if they can even build here as proposed. The Board questions why the plan submitted has lot fourteen (14) on it. Ms. Burgwardt **makes a motion** to have another perc test done with two (2) deep holes. Mr. Krawet **seconds the motion**. All in favor. **Motion passes**. The Board says they would like to see a more current plan that shows lot 22, not lot 14.

39 Long Bow Lane Circle: Ms. Smith says this application originally came through digitally. Ms. Smith red flagged a couple of things and requested another plan. Ms. Smith explains this system uses new technologies. She says the system looks similar to a mattress with a pipe on top. It allows for two feet (2') to groundwater and doesn't require a tank to pretreat. It's considered secondary treatment before it hits the ground. Ms. LaBelle questions if a variance is required since it is only 2' to groundwater. Ms. Smith says it is general use and does not require pumping. Ms. Smith recommends approval of the application. Ms. Perotti notes that the application fee has not been paid. Ms. LaBelle says the permit cannot be issued until the application fee is paid. Ms. LaBelle **makes a motion** to accept the plan for 39 Long Bow Lane on the condition that no work to begin until the application fee is paid. Mr. Krawet **seconds the motion**. All in favor. **Motion passes**.

Old Business

29 Chester Road, Becket Motel: Septic System update: Ms. Smith confirms the water tests came back good. Ms. Smith reports she and Charlie Kaniecki went here and met with the owner, Ofer Zaarur, and his representative. A tank was dug up along with the leaching field and discovered it was backing up and ponding. They also dug next to the leaching field and determined that the leaching field was likely interacting with groundwater. Ms. Smith says a letter was found in the file dated 1998 from Mike Parsons that states he also believed it was interacting with groundwater. It was determined and agreed in the field that this was the case and that a proposal would be made how to move forward with this. Ms. LaBelle asks Mr. Zaarur for the proposal. Ms. Smith reviews the proposal and relays to the Board they would like to:

- do a perc test in February, depending on the weather.
- complete the repair plans by the beginning of April.
- ask for a variance from the Board of Health with respect to groundwater and the visitors' center.

Ms. Smith inquires about the visitors' center. Mr. Zaarur says this is on the corner lot and he would like to add this in to the system. Ms. Smith says there will be a nominal increase if he adds this to the system. Ms. Smith continues with the proposal:

- ask for a **Request for Determination of Applicability (RDA)** from the Conservation Commission.
- get construction permit by July 1, 2019.
- complete project by August 1, 2019.

Ms. LaBelle asks Ms. Smith for her recommendation. Ms. Smith says this proposal shows significant forward progress and feels it is a feasible plan agreeable to everyone. Ms. Burgwardt asks if the septic is



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backing up into the tanks. Ms. Smith says it is not, only in the leaching field. Ms. LaBelle questions if the tank has been pumped. Mr. Zaarur says he would like to try and clean the leach field first with another alternative technology. Ms. Smith says it won't work and a new system will be needed. Mr. Zaarur would still like to try it.

Ms. Smith would like to know if the Board wants to put any further conditions on the proposal, including pumping the tanks to reduce any of the load on the field. Second, she suggests that the Board discuss whether or not to allow guests to continue to stay there. Ms. LaBelle agrees that she would like the tanks to be pumped. She does understand the guests there now don't have anywhere to go. Mr. Krawet questions how often the tanks should be pumped. Ms. Smith says the wash water goes into one (1) tank and the guests there have their waste going into different tanks. So, all three are being used. Mr. Zaarur doesn't feel that pumping the tanks will help the problem in the leaching field. Ms. LaBelle asks Ms. Smith to recommend how often the tanks should be pumped. She says it should be pumped at least once. She would also like to be there when it is pumped to determine how much sludge carryover there is. She asks the Board to consider signing the proposal tonight to move forward with the plan. Ms. Burgwardt says she is concerned for guests to stay there before the system is brought up to code. Ms. Smith recommends approval of the proposal with the conditions that the tanks be pumped, witnessed by Ms. Smith, possibly again in July. Ms. LaBelle would like the water to be tested again in March, June and July in addition to having the tanks pumped. Mr. Zaarur wants to know why the water needs to be tested. Ms. LaBelle says she wants to know for sure that the water is good, especially if guests will be staying there. Ms. Smith adds that Mr. Zaarur also inquired if the room that was decommissioned could be converted into a living-room for the adjacent room. Ms. LaBelle does not have a problem with that. Ms. LaBelle **makes a motion** that the water be tested in March, June and July; the tanks be pumped as recommended by the Board or Health Agent; last room, #12, to be converted into a living-room for the adjacent room. Ms. Burgwardt **seconds the motion**. All in favor. **Motion passes**. The Board and Mr. Zaarur sign the proposal to bring the septic system up to code. Mr. Zaarur is given a copy of the agreement.

351 Bonny Rigg Hill Road: Title V Inspection dated 10-1-2018: Ms. Smith reminds the Board that a Title V inspection was submitted for this property. However, it was not witnessed. Another inspection was scheduled and Ms. Smith was there to witness. She discovered the ground had not been recently disturbed as it should be for a Title V inspection that was allegedly done in October. She also found the distribution box (d-box) was cracked, everything was plugged up. These details were not listed in the report dated 10/1/2018 submitted by Ronald Spraske of American Sewerage. Ms. Smith found a letter in the file of another property addressed to Mr. Spraske which notified him that Title V inspections need to be witnessed. A letter was sent to Mr. Spraske returning the witness fee submitted with the inspection dated 10/1/2018 informing him the inspection would be discussed at the next Board meeting



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and further action may be taken. Ms. Smith would like to figure out how to keep inspectors that don't follow the regulations from conducting business in Becket.

New Business

- a. **Board to discuss Section H-8 of the Becket Well Regulations:** Ms. Smith reminds the Board of this regulation that requires well water to be tested when property is transferred. She lets the Board know it is not being tested and asks if they still want this done. Ms. LaBelle says she does want it done. Ms. Smith says they should send out notices to all in town so they are aware of this regulation. She asks if this notice could be included when the next town mailing goes out, for example the town census or town meeting warrant. She says the Title V regulations should also be included. Ms. Smith asks for permission to print these notices on BOH letterhead so everyone is aware moving forward as of 2019. Ms. Smith says that water tests done for Title V do not meet the requirement for the well testing; both tests need to be done separately. Ms. LaBelle **makes a motion** for Ms. Smith to put together a notification regarding the well testing and Title V testing that needs to be done at time of property transfers. Mr. Krawet **seconds the motion**. All in favor. **Motion passes.**
- b. **Septic System regulations:** Ms. Smith requests some more time to look at those regulations. Ms. LaBelle tables this to February.

Public Input

Mr. Lerner wants to know where people are "squatting" in vacant homes and/or camping in tents in Sherwood Forest. Ms. LaBelle reports she knows of some that ended up staying at her house for a short time and got Section 8 housing. Mr. Lerner reminds the Board that living in a tent is not allowed. The Board assures Mr. Lerner they are aware. The Board could only say it may be in the way out parts of Sherwood Forest.

Correspondence

Ms. Perotti presents two (2) invoices she submitted for payment:

- \$50.00 to the Department of Environmental Protection for the Route 20 spring/PWS
- \$12.00 to the Becket-Washington Community Calendar for meetings listed in 2019

Ms. Burgwardt **makes a motion** for \$62.00 to come out of the budget to pay these invoices. Mr. Krawet **seconds the motion**. All in favor. **Motion passes.**

Ms. LaBelle talks about the new food code trainings coming up that also offers the certifications for ServSafe and choke saver. Ms. LaBelle and Ms. Burgwardt would like to get these certifications. Ms. LaBelle **makes a motion** to pay for these certifications totally \$130.00. Mr. Krawet **seconds the motion**. All in favor. **Motion passes.** Ms. Smith says this would be a re-certification is for those that already have it, not a full course.



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Budget

Ms. Perotti reports that 50.16% of the budget has been spent, but does not include the invoice for the Becket-Washington Community Calendar for \$12.00.

Ms. LaBelle says she has submitted a budget request for the next fiscal year for \$39,500.00.

Any other business to come before the Board

Ms. LaBelle questions what is happening with the house being built at Greenwater Pond. Ms. Perotti reminds the Board this is 3805 Jacob's Ladder Road and Charlie Kaniecki approved the septic plan for this property in 2017. There is a brief discussion confirming that the tight tank was installed. Ms. Smith suggests to the Board that this system installation be reviewed and to give her the ability to issue a stop order if needed. Ms. LaBelle agrees and **makes a motion** to have Ms. Smith review the septic installation at 3805 Jacob's Ladder Road and to issue a stop order if necessary. Mr. Krawet **seconds the motion**. All in favor. **Motion passes**.

Ms. Smith lets the Board and Howard Lerner know about a grant program offered by the Environmental Protection Agency (EPA) based around clean drinking water. She knows there are problems with the drinking water in some of the homes in Becket, especially in Sherwood Forest. She asks the Board and Mr. Lerner of the SFLD if they would be interested in doing a study to see if things like shared wells and septic systems would be supported. This would include funding for those not being about to pay for it. She knows that some are fearful to let the town know they don't have good water. There is a brief discussion. Mr. Lerner is welcome for these types of things to be reviewed as they are potential health hazards. Mr. Lerner says he is willing to present a proposal to the SFLD. The Board agrees they will consider a proposal. Ms. LaBelle **makes a motion** for Ms. Smith to put together a proposal for this EPA grant. Ms. Burgwardt **seconds the motion**. All in favor. **Motion passes**.

Ms. Smith says there will be a training at the Pittsfield Country Club on February 28, 2019 for Boards of Health and health inspectors regarding the changes made in 2018. Ms. Smith expects the hours to be from about 9:00-4:00 and says a save-the-date email will be sent out to notify everyone. There may be a fee charged for food.

Ms. Smith lets the Board know about a plan she reviewed for **92 Depot Street**. She says it has some corrections that need to be made before the Board should consider it for approval. She says they are requesting a one foot (1') reduction to groundwater and to use a soil evaluation instead of a perc test because the ground is saturated and were unable to do a perc test. Ms. LaBelle says a perc test should be done. Ms. Smith says that for existing houses, a soil sample can be pulled from the most restrictive layer, put through a sieve analysis and translated into a perc rate. Ms. Smith questions where the wells



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are located. Ms. LaBelle **makes a motion** to not approve the plan at this time. Ms. Burgwardt **seconds the motion**. All in favor. **Motion passes**. Ms. Smith asks the Board if they will approve the variances requested. Ms. LaBelle **makes a motion** to allow the variances requested for this plan as recommended by Ms. Smith. Ms. Burgwardt **seconds the motion**. All in favor. **Motion passes**.

Ms. Perotti looks to clarify what is needed for the Community Kitchen permit downstairs regarding the new food code requirements. Ms. Smith says that because they are a non-profit, ServSafe is not required. Ms. LaBelle asks about the choke saver requirement. Ms. Smith says that a choke saver would only be needed if there are twenty-five (25) or more in attendance. Ms. Smith says the allergen needs to be added. This would require watching a short video to be certified. Private parties do not require a permit but if a dinner is served for the public, a permit would be required. Potluck dinners do not require a permit. Ms. Smith says she is putting together a chart to make it easier to understand. Ms. Burgwardt questions who is responsible for the Community Kitchen. Ms. Smith says the town is ultimately responsible.

Ms. Smith questions which food establishments that have renewed their permits. Ms. Perotti says she has only received a renewal from Berkshire Berries.

The next meeting is set for February 6, 2019 at 5:00 PM.

Adjournment

Ms. LaBelle **makes a motion** to adjourn. Ms. Burgwardt **seconds the motion**. All in favor. **Motion passes**. Meeting is adjourned at 7:20 PM.

Meeting minutes reviewed and approved on February 13, 2019 by:

Gale LaBelle, Chair

Laurel Burgwardt, Vice Chair

I. David Krawet, Clerk