

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

Meeting Minutes for March 3, 2021

Board Members Present: Gale LaBelle, Robert Ronzio

Board Member Absent: Laurel Burgwardt

Clerk of Committee: Tess Lundberg

Public Present: Ed Fahey, Kathleen Engwer, Fred Sears, Dara Morin, Chris Tryon, Jason Deschaine

Items will be kept in the order of the agenda for easier reference.

1. Call to order:

Ms. LaBelle calls the meeting to order at 10:04 AM. Ms. LaBelle introduces the Board members present and reads the rules of the meeting.

2. Board to approve meeting minutes for February 3, 2021.

Mr. Ronzio makes a motion to approve the minutes for February 3, 2020. Ms. LaBelle seconds the motion. Mr. Ronzio votes in favor. Ms. LaBelle votes in favor. **Motion passes.**

3. Reports from Ed Fahey/Charlie Kaniecki:

a. Tobacco Regulations –Mr. Ronzio states that discussion of this issue should be tabled until the town adopts regulations prohibiting smoking under age 21 years old. Continued

b. Separation from groundwater regulations- Mr. Ronzio states that Mr. Fahey's input is needed on this issue. Mr. Ronzio is concerned that variances to ground water separation are a threat to the water basins/lakes in town. Continued

c. BCBOHA Food Establishment COVID guide - continued

d. 260 Alan A Dale - pending Conservation Commission approval, continued

e. 227 King Richard - pending Conservation Commission approval, continued

f. Alan A Dale 217.186 - pending Conservation Commission approval, continued

g. 0 Benton Hill Rd – Mr. Fahey recommends rejecting plan as submitted, showing a 4 bedroom home to be built in stages with a split leach field. Ms. LaBelle makes a motion to reject the plan. Mr. Ronzio seconds the motion. Ms. LaBelle votes in favor. Mr. Ronzio votes in favor. **Motion passes.**

h. O Captain Whitney 417.16 – Mr. Fahey reports no issues with the design plan. Mr. Ronzio inquires about lot size. Mr. Deschaine responds that lot is 4.9 acres. Mr. Ronzio makes a motion to accept the plan. Ms. LaBelle seconds the motion. Ms. LaBelle votes in favor. Mr. Ronzio votes in favor. **Motion passes.**

i. 173 King Richard Drive- Chris Tryon of Berkshire Geo Technologies informs the board that Berkshire Geo Technologies was hired to redesign a previous plan. The current plan has a 107 foot setback from the lake and does not require Conservation Commission approvals. It is also greater than 100 feet from the existing well. The current plan requesting two variances. First variance is for a 50% reduction in leach field size. The second variance request is for a reduction

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in separation from groundwater to a 3 foot separation. Mr. Ronzio inquires about the lot size. Mr. Tryon responds lot size is .4 acres. Mr. Fahey asks if the 50% reduction in field size would require a deed restriction and an Operations and Maintenance contract, Mr. Fahey will research the regulations to determine if a deed restriction would be required. Mr. Tryon states that an Operations and Maintenance contract would be ongoing with the system. Mr. Ronzio expresses concern about the 50% reduction in field size. Mr. Fahey states that plan is an innovative design with a pre-treatment and drip system that should support the requested reduction. Ms. LaBelle makes a motion to accept the plan with a 50% reduction in field and a reduction in separation from groundwater to 3 feet, contingent on an active Operations and Maintenance contract and confirmation from Mr. Fahey if a deed restriction would be required. Mr. Ronzio seconds the motion. Ms. LaBelle votes in favor. Mr. Ronzio votes in favor. **Motion passes.**

Mr. Tryon is reminded by Ms. Lundberg that two physical copies of the design plan need to be supplied to the board for the files.

j. 123 East Shore Rd – Mr. Fahey states the design is requesting a variance for a 1 foot reduction to a 3 foot separation from ground water. Mr. Sears states that the variance is being requested to avoid the re-plumbing the entire house to avoid a pump chamber. Mr. Ronzio asks about the size of the lot. Mr. Sears replies the lot is .62 acres. Ms. LaBelle makes a motion to accept the plan with a 1 foot reduction to 3 foot separation from groundwater. Mr. Ronzio seconds the motion. Ms. LaBelle votes in favor. Mr. Ronzio votes in favor. **Motion passes..**

k. 58 Depot- Board requests that Mr. Kaniecki followup and report results Continued.

l. 43/44 Pleasant St- Board requests that Mr. Kaniecki followup and report results Continued.

m. O Mallard Drive 413.78 – Mr. Fahey reports that plan meets all criteria. Mr. Ronzio makes a motion to approve the plan. Ms. LaBelle seconds the motion. Ms. LaBelle votes in favor. Mr. Ronzio votes in favor. **Motion passes.**

n. 799 King Richard Drive- Signature receipt received on the Certified mail sent 2/22/2021 to property owner after inspection. Mr. Kaniecki is working with the Building Inspector, Continued.

o. Sherwood Forest/Enchanted Cove Todice property – Board had decided at 2/3/2021 meeting to accept the septic design submitted contingent on a new plan being submitted that shows all pins located and Conservation Commission approval. Mr. Sears reports that the Conservation Commission approved the septic design at their last meeting. An updated plan has been submitted that shows pin locations. Mr. Ronzio asks if the pin closest to the lake was located and the type of pin Mr. Sears replies that the existing pin, which was standard rebar, was located . Board also discussed well permit, as detailed in item 6.e.3 of these minutes.

4. Title V inspections:

- a. 151 Lady of the Lake – pass
- b. 226 Huckleberry Lane –report pending

5. Percolation tests:

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- a. 189 East Shore Rd- report pending
- b. 7 Bowman Lane - report pending
- c. 212 Friar Tuck Dr - report pending

- d. 129 Longbow Lane East- report pending
- e. 0 Gention Hollow Road 217.13- report pending
- f. 0 Gention Hollow Road 217.14 – report pending
- g. 0 Fred Snow Rd 407.121 report pending

6. Full Circle Applications Received:

a. Food Service Establishments:

- 1. Bonny Rigg Hill Camping Club – Ms LaBelle states that an inspection of the facility was conducted. Mr. Ronzio makes a motion to issue the Food Service Establishment permit with the contingency that only pre-packaged food can be sold. If any food preparation is to be done on site they will need to re-apply. Ms. LaBelle seconds the motion. Ms. LaBelle votes in favor. Mr. Ronzio votes in favor. **Motion passes.**

b. Lodging

- 1. Bonny Rigg Hill Campground – pending inspection by Gale LaBelle and Ed Fahey. Continued

c. Septic Haulers/Installers

- 1. Installer- DA DiNicola Excavation Inc. BCBOHA Certificate received . Permit approved.

d. Camps

- 1. Ed Fahey inquiry on 2021 fees for recreational camps. Board acknowledged decision at 6/3/2020 BOH meeting motion that 2020 Rec Camp for Children fees (\$350) would be applied to 2021 fees.

e. Well

- 1. 0 Benton Hill Rd 209.46- Ms. Labelle makes a motion to approve the plan. Mr. Ronzio seconds the motion. . Ms. LaBelle votes in favor. Mr. Ronzio votes in favor. **Motion passes.**
- 2. 0 Captain Whitney Rd 417.16 - Ms. Labelle makes a motion to approve the plan. Mr. Ronzio seconds the motion. . Ms. LaBelle votes in favor. Mr. Ronzio votes in favor. **Motion passes.**
- 3. Sherwood Forest/Enchanted Cove Todice property – Mr. Sears discussed with board the updated plans that showed the location of the well and pins. Mr. Sears explains that they could not meet all requirements for setbacks from wetlands, the septic system and the property lines. Current design is requesting a variance in the setback from the property lines, from 30 feet to 14 feet. Mr. Fahey states the plan is showing a 100 foot setback from the septic, 21 foot setback from lake, and 14 foot setback from property

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line. Ms. LaBelle makes a motion to approve the well design with a variance in the setback from the property line to 14 feet, with the contingency that a registered land surveyor appears on the plan. Mr. Ronzio seconds the motion. . Ms. LaBelle votes in favor. Mr. Ronzio votes in favor. **Motion passes.**

4. 93 Wade Inn Rd –Plan does not include setback from property line. Continued.

7. Old Business:

- a. 29 Chester Road/Becket Motel: continued from February -COC to be issued with condition that grading, hay and seeding be completed by 5/30/2021 . Continued.
- b. Title 5 inspections on recent property sales for consideration. Continued.
- c. 61 Porcupine Ct- continued from February- Order of Correction sent certified mail 2/10/2021. Deadline for Title 5 4/2/2021, deadline for repairs if failing within 30 days of report. Continued.

8. Public Input:

- a. Kathy Engwer, a local real estate agent, seeks clarification if a design plan is necessary to replace a septic tank at a property on Silverleaf Drive. Mr. Fahey states that he had spoken with Jeff Gamelli about the same property and had indicated that a design plan is required.
- b. Dara Morin, O Deer Trail Rd 214.117, spoke to the board. Ms. Morin applied to the Zoning Board of Appeals for a special permit to install a camper/recreational tow behind camper on the property during construction. Ms. Morin states the ZBA approved the permit contingent upon approval from the Board of Health. Ms. Morin wants to know if the Board of Health has any issues or requirements. Mr. Ronzio asks what is the lot size. Ms. Morin responds that the lot in question is 6.4 acres. Mr. Ronzio asks how long will this camper/trailer be in place. Ms. Morin states the ZBA approved the permit for the periods of May 1-Oct 31, 2021 and May 1-Oct 31, 2022, and the trailer would be removed from the property between November 2021 to May 2022. Ms. Morin states it would be occupied only on weekends during construction not occupied on a concurrent ongoing basis. Mr. Ronzio states if construction is going on a trailer on the lot would have to be connected to a septic system. Ms. Morin disagrees. Mr. Ronzio states that the town bylaws do not allow a trailer on the lot unless active construction is going on, and under very specific circumstances such as an existing home damaged by fire being uninhabitable. Mr. Ronzio expresses concern that allowing this trailer would set a precedent that would be detrimental to the community and not in line with the intent of the bylaws. Mr. Ronzio asks for clarification on the lot size. Ms. Morin states the lot in question is 6.48 acres and she also owns the adjacent 7.43 acres lot on Silver Shield Drive. Mr. Ronzio asks if a building permit has been obtained. Ms. Morin says her next planned step is to obtain a well permit prior to obtaining a building permit. Ms. Morin states that because of the time constraints on the length of a building permit she wants to put off applying for it until all other

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permitting has been done. Mr. Ronzio questions the time frames designated by the ZBA permit. Mr. Ronzio states that the bylaws state a permit is not to exceed 12 months, and the intent of the bylaw is for 12 contiguous months. Ms. Morin disagrees. Ms. LaBelle states that the board needs to look into the regulations including consulting with the Health Agent to determine how this should be handled. Ms. LaBelle states that the issues need to be investigated in depth to determine what requirements are needed in the situation. Topic is tabled, to be continued at next meeting. Ms. Morin is advised that the next board meeting is expected to be on April 7, 2021. She is also advised that the agenda with contact info will be published on the town website on April 2, 2021.

9. Budget – continued.

10. Correspondence

a. DEP Sanitary Survey Report – board is advised that DEP submitted a 19 page letter detailing the survey. Board opts to continue this to next meeting.

11. Any other business to come before the Board

a. Mosquito spraying -continued

b. 89 Lady of the Lake- survey requested by board pending snow cover -continued

c. 100 Family Court - septic repairs done without construction permit . Board will issue a letter to property owner seeking clarification of the details.

d. 0 Bonny Rigg Hill Rd 416.29.13 – Plan was approved. Installation was done without permit. Ms. LaBelle makes a motion to issue a permit and COC contingent upon a warning letter being sent to the septic installer for failure to obtain a permit. Mr. Ronzio seconds the motion. Ms. LaBelle votes in favor. Mr. Ronzio votes in favor. **Motion passed.**

14. Adjournment : Next Board meeting will be on April 7, 2021 at 5:00 PM.

Ms. LaBelle makes a motion to adjourn. Mr. Ronzio seconds the motion. Ms. LaBelle votes in favor.

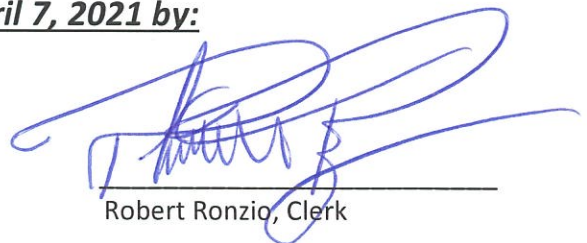
Mr. Ronzio votes in favor. **Motion passes.**

Meeting is adjourned at 11:50 AM.

Meeting Minutes reviewed and approved on April 7, 2021 by:



Gale LaBelle, Chair



Robert Ronzio, Clerk

Laurel Burgwardt, Vice Chair