

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

**Meeting Minutes for June 2, 2021**

**Board Members Present:** Gale LaBelle, Robert Ronzio

**Board Member Absent:** Laurel Burgwardt

**Clerk of Committee:** Tess Lundberg

**Public Present:** Bill Allen, Aaron Beatty, Ed Fahey, Ted Glass, John Hathaway, Charlie Kaniecki, Dean Lagrotteria, Michael Lavery, Karen Riiska,

*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 6:06 PM. Ms. LaBelle introduces the Board members present and reads the rules of the meeting.

2. **Board to approve meeting minutes for May 5, 2021**

Mr. Ronzio makes a motion to approve the minutes of May 5, 2021. Ms. LaBelle seconds the motion. Mr. Ronzio votes in favor. Ms. LaBelle votes in favor. **Motion passes.**

3. **Mosquito spraying**

Michael Lavery updates on Board of Selectmen meeting 5/5/2021. Mr. Lavery provides the board with a handout from Chris Horton. Mr. Lavery has requested the results of PFAS testing on the product being used for truck dispersed spray treatments. He reports that he was told the product has been shipped but test results are not available yet. Mr. Lavery will forward the results when he receives them. Mr. Lavery reports that the Select Board has opted out of mosquito spraying for the town barring the declaration of an emergency by the state of Massachusetts. Mr. Lavery suggests that the Board of Health continue their ban on mosquito spraying. Mr. Ronzio makes a motion to continue to prohibit mosquito spraying in Becket, including in Sherwood Greens, until the receipt of chemical test results confirming that no PFAS are present. Ms. LaBelle seconds the motion. Mr. Ronzio votes in favor. Ms. LaBelle votes in favor. **Motion passes.**

4. **Reports from Ed Fahey/Charlie Kaniecki:**

- a. Tobacco Regulations -continued
- b. Separation from groundwater regulations -continued
- c. 260 Alan A Dale:

Mr. Allen presents the current plan for a septic disposal system using Eljen geotech. Mr. Allen states that the previous plan had been approved by the Conservation Commission. Mr. Allen states that Conservation Commission was happy about the change to the Eljen plan.

Mr. Ronzio expresses concerns about the nearby brook flooding and the possible contamination of the well.

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The board notes that they do not have a set of physical plans for this latest design. Mr. Fahey is able to share his copy of the plan on the Zoom conference screen. Mr. Fahey points out that the plan includes a note stating the existing well is in need of repair and disinfection. Mr. Fahey asks if the property owners are planning to put in a new well. Mr. Allen states that he has discussed a well replacement with the owner.

Mr. Ronzio states that the board cannot approve the plans given the proximity to a well that has already been noted as needing repairs.

d. Alan A Dale 217.186

Homeowner John Hathaway states that the application for a disposal system construction permit has been on hold while they obtained a site plan. Mr. Hathaway states the the Conservation Commission approved the site plan. Ms. LaBelle asks if any variances are being requested. Mr. Allen states the well is 100 feet from the septic design, and the property consists of 2 lots being combined. Mr. Hathaway clarifies that it is 3 lots totaling 42,000 square feet. Mr. Ronzio asks about an existing dwelling on one of the lots. Mr. Hathaway states that he was told by the zoning administrator that the 3 lots could be combined. Mr. Ronzio states under the town bylaws if a building is demolished you need to go to the planning board for lot approval.

Ms. LaBelle makes a motion to approve the disposal system permit contingent on Planning Board approvals of the lots being combined. Mr. Ronzio seconds the motion.

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

e. 58 Depot St:

Mr. Kaniecki reports there has been no progress. He has been working with the Building Inspector but another property became a priority. Continued.

f. 43 Pleasant St

Mr. Kaniecki reports work on the property is progressing very slowly.

g. 799 King Richard Drive

Mr. Kaniecki requests board permission to take the property owner to court. Board agrees. Mr. Ronzio asks if anyone is living in the building. Mr. Kaniecki states he does not know if anyone is currently living there.

h. 189 East Shore Rd

Mr. Fahey notes that the well water of the abutters should be tested before and after the installation of the planned disposal system. Ms. LaBelle makes a motion to approve the septic disposal construction plan with a sand filter, reduction in distance to groundwater to 2 feet, reduction in property line setback to 6 feet, reduction in foundation setback to 3.5 feet, and requirement to test well water of abutter before construction and annually for 2 years after

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construction. Mr. Ronzio seconds the motion. Ms. LaBelle votes in favor. Mr. Ronzio votes in favor. **Motion passes.**

i. 168 Greenwater Drive

Mr. Fahey notes that the plans submitted do not have an engineering stamp. Continued.

j. 50 Beach Road

Mr. Kaniecki states they have located the heir to the property, who has no interest in it. Mr. Kaniecki obtained permission to access the property and found the sill plates rotted, roof leaking and the septic system appeared to possibly have issues. Mr. Kaniecki states that the bank had hired a company to maintain the property. He thinks once the bank sees photos of the conditions they may opt to auction the property off.

k. 44 Pleasant

Mr. Kaniecki reports that he has emailed the property owner and gotten no response. Mr. Kaniecki states that the Building Inspector has stated the building is not structurally safe. Mr. Ronzio makes a motion for Mr. Kaniecki to proceed with the demolition order. Ms. LaBelle seconds the motion. Mr. Ronzio votes in favor. Ms. LaBelle votes in favor. **Motion passes.** Mr. Kaniecki states he would like to get a structural engineer to determine if the structure is unsafe, then he will file a court order for the property owner to demolish the building. Mr. Kaniecki states that the structural engineer assessment prevents any future claims that the building still had some value. Ms. LaBelle agrees and grants permission for a structural engineer assessment.

l. 173 King Richard

Mr. Fahey states the property line question has been resolved, a setback to the property line variance is not required. Mr. Fahey reviews the variances being requested, 2 feet to groundwater, 2:1 slope on finish grade and a 17 foot setback from the foundation wall. The board notes that they do not have a physical copy of the most recent revision plan. Ms. LaBelle makes a motion to approve the disposal system construction permit with a reduction to 2 foot to groundwater, 2:1 slope on finish grade and a 17 foot setback from the foundation wall, contingent on receiving two physical copies of the plan. Mr. Ronzio seconds the motion. Ms. LaBelle votes in favor. Mr. Ronzio votes in favor. **Motion passes.**

m. 243 Wells Road

Mr. Fahey states that this does not appear to be a Board of Health issue. Mr. Fahey does not think the issue of road flooding was caused by the neighbor's septic system, and a Highway Department reported that they did not see anything that they had done to create the problem. Mr. Fahey recommends that the property owner hires an engineer to determine the source of the water.

n. 87 Sir Edward Way

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Ms. LaBelle asks Mr. Kaniecki if a property has a tight tank septic system is it automatically designated as a seasonal 6 month dwelling. Mr. Kaniecki responds that if it is documented as a year round occupancy then you cannot restrict it. Homeowner Ted Glass states that it is a year round residence. Ms. LaBelle asks if there is a deed restriction in place. Mr. Glass responds he has no knowledge of a deed restriction. Ms. LaBelle asks if there is an alarm on the septic system. Mr. Glass responds that there is an alarm and it is working. Ms. LaBelle asks if the house is on the market. Mr. Glass responds that they are considering it. Ms. LaBelle states that a Title 5 inspection is required prior to sale. Mr. Ronzio states that a well inspection would also be required. Mr. Ronzio states that the septic plan on file is hand drawn and the location of the well is not indicated. Mr. Ronzio states there are no pumping records on file for the septic system. Mr. Glass states he will contact Berkshire Septic and have the records sent.

**5. COC sign-offs:**

a. 16 Bracken Lane:

Mr. Fahey had sent a letter to Ms. Lundberg outlining the requirements to be met in order to issue a COC. The information has been forwarded to the previous owner, current owner, and their attorneys. Required documents have not been received back. Continued.

b. 38 Black Arrow Way

COC approved and signed by Ms. LaBelle.

**6. Title V inspections:**

a. Received reports

1. 353 Gention Hollow Rd- pass

b. Pending reports

1. 226 Huckleberry Lane
2. 131 Prince John Dr
3. 1442 Bancroft Rd
4. 703 Yokum Pond Rd
5. 151 Excalibur

**7. Percolation tests:**

a. Received reports

1. 0 Long View Drive 408.53
2. 0 Woodmere Road 407.60

b. Pending reports

1. 7 Bowman Lane
2. 129 Longbow Lane East

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3. 0 Gentian Hollow Road 217.13
4. 0 Gentian Hollow Road 217.14
5. 0 Fred Snow Rd 407.121
6. 0 Trail Circle 214.9 4/12 – Mr. Fahey reports perc test failed
7. 0 Moberg Rd 218.204 – Mr. Fahey reports perc test passed
8. 0 Mallard Dr 413.84
9. 0 Hamilton Rd – Mr. Fahey reports perc test failed
10. 0 Wade Inn Rd 413.451. – Mr. Fahey reports perc test passed
11. 83 Beach Road
12. 337 Silver Leaf Dr – Mr. Fahey reports test was cancelled
13. 219 Bancroft Rd – Mr. Fahey reports test was rescheduled
14. 0 Stage Coach Rd – Mr. Fahey reports perc test passed
15. 19 Lady Lucille– Mr. Fahey reports perc test passed

**8. Full Circle Applications Received:**

**a. Food Service Establishments:**

Ms. LaBelle will contact Laurel Burgwardt to coordinate inspections.

1. Camp Watitoh
2. Camp Lenox
3. Camp Greylock – fee pending
4. Becket General Store fee pending
5. Savory Harvest Catering at The Stone Dining Room
6. Camp Becket Chimney Corners YMCA- Mr. Fahey inspected
7. Camp Becket YMCA- Mr. Fahey inspected

**b. Lodging**

1. Bonny Rigg Hill Campground pending inspection

**c. Septic Haulers/Installers**

**Installer Permits BCBOHA certificates pending**

- a. William Tatro  
Mr. Fahey confirms that the BCBOHA certificate for Mr. Tatro was issued this morning. Installer permit may be issued.
- b. Chris Williams

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**d. Camps**

Mr. Fahey reports he is working on doing camp inspections. New regulations were issued by the state last week. Campers are not expected until later in June.

1. Camp Watitoh
2. Chimney Corners Camp YMCA
3. Camp Lenox
4. Becket Day Camp 170 Lane Rd
5. Camp Becket
6. Camp Greylock
7. All Out Soccer Camp
8. Camp Watitoh

**e. Well**

1. 189 Prince John Dr- plan pending
2. 1190 George Carter Road- plan pending

**f. Bathing Beach**

Board agrees to issue bathing beach permits for all applicants listed.

1. Camp Watitoh
2. Becket Day Camp
3. Camp Lenox
4. Camp Becket YMCA 748 Hamilton Rd
5. Camp Greylock
6. Indian Lake Association
7. Chimney Corners YMCA 748 Hamilton Rd

**g. Public or Semi-Public Pool Spa**

1. Bonny Rigg Hill Camping Club – Ms. LaBelle and Mr. Fahey will inspect soon.

**9. Old Business:**

**a. 29 Chester Road/Becket Motel**

Ms. LaBelle states that she has spoken to the owner, He stated he has someone coming to fix the grading and clean up the area. Ms. Lundberg reports that an order was sent certified mail with a June 17, 2021 deadline.

**b. Title 5 inspections on recent property sales for consideration- continued**

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c. 61 Porcupine Court

Mr. Kaniecki reports that this is scheduled for a court hearing next week. Mr. Kaniecki states the owner is in the process of tearing the building down. Mr. Kaniecki states that the Building Inspector reported there is another structure on the property. Mr. Kaniecki sent an agreement to not occupy the premises but has gotten no response from the owner. Mr. Kaniecki will proceed with a court order to require a Title 5 inspection and a non-occupancy agreement. Mr. Kaniecki plans to inspect the property tomorrow and if conditions are bad he will issue an immediate order to condemn.

**10. Public Input - none**

**11. Budget**

a. Public health contract and invoices:

Ms. LaBelle makes a motion to approve the BRPC nursing services contract and pay the invoice. Mr. Ronzio seconds the motion. Ms. LaBelle votes in favor. Mr. Ronzio votes in favor. **Motion passes.**

Ms. LaBelle makes a motion to approve the BRPC inspectional services invoice. Mr. Ronzio seconds the motion. Ms. LaBell votes in favor. Mr. Ronzio votes in favor. **Motion passes.**

Ms. LaBelle makes a motion to approve payment of the Housatonic Basin invoice for \$65 for testing Town Beach water. Mr. Ronzio seconds the motion. Ms. LaBelle votes in favor. Mr. Ronzio votes in favor. **Motion passes.**

b. Refund Title 5 fee \$100

Ms. LaBelle makes a motion to refund \$100 for a cancelled Title 5 witness. Mr. Ronzio seconds the motion. Ms. LaBelle votes in favor. Mr. Ronzio votes in favor. **Motion passes.**

**12. Correspondence**

a. DEP Sanitary Survey Report on Papa Bobs 1/29/2021.

The board reviews the letter and corrective actions recommended. Ms. LaBelle states she will discuss the results with Papa Bobs owners. Ms. Lundberg states that the owner has had difficulty navigating the online permitting application to renew their food service permit. Ms. LaBelle will speak to them.

b. 345 Wells Rd- trash complaint . Mr. Ronzio recommends gathering some photos to document the issues and support a complaint.

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c. DEP ASR 2020 Annual Statistical Report (ASR) and your ASR report is PAST DUE email 5/11. Ms. LaBelle states that she has contacted the state before and advised them that the Route 20 spring was decommissioned.

d. CSX Transportation 2021 Vegetation Management Railroad Right of Way notice. Board acknowledges the notification.

**13. Any other business to come before the Board**

a. 43 Brook Lane- informal discussion of existing 2016 septic plan by Peter Franz . Karen Riiska states her father owned the property and is no longer living there. The family would like to sell the property. The board discusses with Ms. Riiska Title 5 requirements, deed restrictions, shared well issues. The board asks Mr. Fahey to review the documentation on file and give his opinion to Ms. Riiska about the options to proceed. Ms. Lundberg will send the plans on file to Mr. Fahey.

b. 940 Bonny Rigg Hill Rd.

Applicant requested additional time to prepare board requests from the May meeting. Mr. Ronzio makes a motion to continue. Ms. Labelles seconds the motion. Mr. Ronzio votes in favor. Ms. LaBelle votes in favor. **Motion passes.**

c. 89 Lady of the Lake - continued

d. 100 Family Court – continued

e. Prince John Drive and King Arthur Drive, 216.672 and 216.667

Mr. Ronzio discusses trash and junk that is visible from the road, and may be on the actual right of way for the road. Mr. Fahey will look at the property and if it appears to be creating a nuisance he will issue a letter.

f. Board Reorganization:

Mr. Ronzio nominates Ms. LaBelle to be Chairperson. Call for any other nominations repeated three times. No other nominations presented. Mr. Ronzio votes in favor. Ms. LaBelle votes in favor.

Ms. LaBelle nominates Mr. Ronzio to be Vice-chairperson. Call for any other nominations repeated three times. No other nominations presented. Mr. Ronzio votes in favor. Ms. LaBelle votes in favor.



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Ms. LaBelle nominates Laurel Burgwardt to be Clerk. Call for any other nominations repeated three times. No other nominations presented. Mr. Ronzio votes in favor. Ms. LaBelle votes in favor.

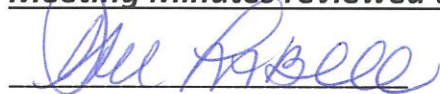
**14. Adjournment :** Next Board meeting will be on July 7, 2021 at 5:00 PM.

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

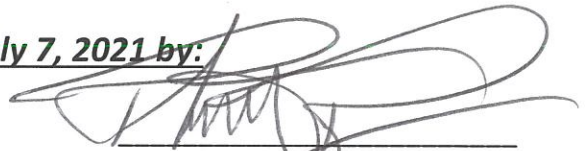
Mr. Ronzio votes in favor. **Motion passes.**

Meeting is adjourned at 7:10 PM.

**Meeting Minutes reviewed and approved on July 7, 2021 by:**



Gale LaBelle, Chair



Robert Ronzio, Clerk

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Laurel Burgwardt, Vice Chair