

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

Meeting Minutes or December 1, 2021

Board Members Present: Gale Labelle, Robert Ronzio

Board Member via Zoom: none

Board Member Absent: Laurel Burgwardt

Clerk of Committee: Tess Lundberg

Public Present: Jim Barnes, Warren Castonguay, Neil Jackson, Charlene Murray, Donald Murray, Katie O'Keefe, Jason Sayward, Anthony Wesolowski, Craig Willis

Public via Zoom: David Colpitts, Mike Kulig, Jeanette Mindle, Lori Robbins, Fred Sears

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 5:00 PM. Ms. LaBelle introduces the Board members present and reads the rules of the meeting.
2. **Board to approve meeting minutes for November 3, 2021-** Mr. Ronzio makes a motion to accept the minutes of November 3, 2021. Ms. LaBelle seconds the motion. Mr. Ronzio votes in favor. Ms. LaBelle votes in favor. **Motion passes.**
3. **3425 Main St-** update on possible lead paint exposure from exterior house paint removal. Mr. Fahey states he sent photos to Mr. Kaniecki. Mr. Kaniecki replied that it did not appear to be an imminent health problem, but it could be reported to the state. Mr. Ronzio states that when he visited the property it appeared that there had been a cleanup done. Mr. Ronzio was able to get a small sample of a paint chip that was on the ground. Mr. Ronzio asks if the board owes the complainant a response. Mr. Fahey states that it may be a civil matter.
4. **Reports from Ed Fahey/Charlie Kaniecki:**
 - a. **260 Alan A Dale-** Registered Land surveyor plan pending- continued.
 - b. **58 Depot** Receivership in process - continued.
 - c. **43 Pleasant St-** Kaniecki follow-up. - continued.
 - d. **799 King Richard Drive-** Kaniecki recommend condemn order. Mr. Ronzio states that based on Mr. Kaniecki's recommendation we should condemn the property. The board directs Ms. Lundberg to inform Mr. Kaniecki to proceed.
 - e. **50 Beach.** Kaniecki site visit scheduled 11/23/21. - continued.
 - h. **44 Pleasant-** Kaniecki recommended discussion with the Select Board - continued.
 - i. **219 Bancroft Rd-** Mr. Kulig provided an updated design plan with the surveyor results. Mr. Kulig states they are requesting a variance for a 1 foot reduction in separation from groundwater. Mr. Ronzio makes a motion to approve the septic disposal design at 219

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

j. **193 Black Arrow Way-** Registered Land surveyor plan submitted. Neil Jackson states that the survey plan was emailed to Mr. Fahey. Mr. Fahey states that it is an Eljen system and they are asking for an 87 foot setback from the well and a 2 foot separation from groundwater. Mr. Ronzio asks for the specifics on the retaining wall at the back of the system. Mr. Jackson states they will use 3,600 pound blocks along the property line. Ms. LaBelle makes a motion to accept the plan for a disposal system at 193 Black arrow Way with variances for an 87 foot setback from the well and a 2 foot separation from groundwater. Mr. Ronzio seconds the motion. Mr. Ronzio votes in favor. Ms. LaBelle votes in favor. **Motion passes.**

k. **9 Prince Paul Path-** Mr. Kulig states the Conservation Commission asked for a note on the design limiting cutting on the field, and a variance for a 1 foot reduction in separation from groundwater is requested. Mr. Ronzio states the adjacent lot is wetlands and he does not approve a reduction in the separation from groundwater. Mr. Kulig states the system is being paid for under a grant programs and the design has already been put out for bid. Ms. LaBelle states the board would prefer no reduction in separation from groundwater and asks what the impact would be on costs. Mr. Kulig states it would require making 60 feet of wall higher, which could be done. Ms. LaBelle makes a motion to approve the septic design plan for 9 Prince Paul Path with no reduction in separation from groundwater. Mr. Ronzio seconds the motion. . Mr. Ronzio votes in favor. Ms. LaBelle votes in favor. **Motion passes.**

l. **0 King Richard Drive 216.285, 216.287, 216.288 Maggi-** Registered Land surveyor plan pending. Neil Jackson asks the board if it would be possible to get a variance on the setback from the well. Mr. Ronzio states there will be no variance allowed for the setback from the well. Mr. Jackson states they are waiting for the survey and will not request a well setback variance in the design.

m. **0 Wade Inn Rd 413.45.1 –** Ms. LaBelle makes a motion to approve the septic design plan for 0 Wade Inn Road 413.45.1. Mr. Ronzio seconds the motion. . Mr. Ronzio votes in favor. Ms. LaBelle votes in favor. **Motion passes.**

n. **693 King Richard Drive-** Alternative design report received. Fred Sears requested site visit. Ms. LaBelle and Mr. Ronzio agree to meet Mr. Sears at the site on December 7, 2021 at 9:00 AM.

o. **61 Porcupine Court-** Mr. Kulig states the plan is requesting a variance for a 2 foot separation from groundwater. Ms. LaBelle makes a motion to accept the plan for a disposal system at 61 Porcupine Court with a 2 foot separation from groundwater. Mr. Ronzio seconds the motion. Mr. Ronzio votes in favor. Ms. LaBelle votes in favor. **Motion passes.**

Mr. Sayward asks to clarify the deadline for installing the new system. Mr. Sayward states he would like to cap the system and continue to use it while having it pumped out periodically. Mr.

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Fahey states if there is no breakout or imminent system failure he has up to 2 years from the Title 5 to replace the system, and the board can use their discretion. Mr. Fahey states the system may not be breaking out now but there is no way to predict how much longer it will hold up. Ms. LaBelle makes a motion that Mr. Sayward can have 2 years to complete the repairs for the new system, with a deadline of October 2023, Mr. Sayward will expose the end of the tank and cap the pipe to the SAS which must be witnessed in person by the Board of Health or their representative, and that the system must be pumped at least once a year. Mr. Ronzio seconds the motion. Mr. Ronzio votes in favor. Ms. LaBelle votes in favor. **Motion passes.**

p. **111 Longview-** Ms. LaBelle makes a motion to approve the septic design plan for 111 Longview. Mr. Ronzio seconds the motion. . Mr. Ronzio votes in favor. Ms. LaBelle votes in favor. **Motion passes**

q. **36 Washington St-** Inspector observed trash debris- continued

r. **633 Quarry Rd-** Leemon- d-box replacement. Jim Barnes states they are replacing the d-box in the same place as the original d-box. Mr. Barnes states that in the course of a Title 5 inspection it was determined that the d-box had cracked. Mr. Ronzio makes a motion to approve the disposal system construction permit for 633 Quarry Road. Ms. LaBelle seconds the motion. Mr. Ronzio votes in favor. Ms. LaBelle votes in favor. **Motion passes.**

s. **88 King Arthur-** failed Title 5, house occupied. Mr. Fahey contacted Laurel Burgwardt. Ms. Burgwardt stated that there was no breakout of the system. Mr. Fahey states the owner has two years from the date of the Title 5 to complete repairs, but the board may set any timeline, require pumping of the system, require a soil percolation test, system design and soil samples. The board asks Mr Fahey to send a letter to the property owner ordering that a soil percolation tests with soil samples be conducted by January 30, 2022,

5. COC sign-offs:

- a. **37 Mitchell Rd-** Toomey. Incorrect form submitted, board requires either an online COC with installer and designer sign offs or a Form 3 COC with installer and designer sign offs.
- b. **131 Prince John Drive-** Board approves the Form 3 COC and Ms. LaBelle signs off.

6. Title V inspections:

- a. Received reports

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1. **107 Wells Rd-** pass- per Laurel Burgwardt at 8/4 meeting owner told water test required to pass. The board will not sign off on any COC until the water test is received.
2. **2206 Jacobs Ladder Rd** –Pass
3. **581 King Richard Drive** pass with comment. The board asks Mr. Fahey to review the Title 5 report

7. Percolation tests:

a. Received reports

1. **0 Pill Drive 207.8** – Sandy Realty – could not perc due to water flowing into test pit

8. Full Circle Applications Received:

a. **Septic Haulers/Installers**

1. **Hauler Permits**

a. **Next Generation Enterprises-** Board approves the Septic hauler permit.

2. **Installer Permits BCBOHA certificates current**

- a. **Berkshire Pittsfield Septic-** Mr. Ronzio makes a motion to approve the Septic Installer Permit for Berkshire Pittsfield Septic. Ms. LaBelle seconds the motion. Mr. Ronzio votes in favor. Ms. LaBelle votes in favor. **Motion passes.**
- b. **Chaffee Excavation** - Mr. Ronzio makes a motion to approve the Septic Installer Permits for Chaffee Excavation for 2021 and 2022. Ms. LaBelle seconds the motion. Mr. Ronzio votes in favor. Ms. LaBelle votes in favor. **Motion passes.**

b. **Well**

1. **111 Longview Rd-** Ms. LaBelle makes a motion to approve the well permit for 111 Longview. Mr. Ronzio seconds the motion. Mr. Ronzio votes in favor. Ms. LaBelle votes in favor. **Motion passes**
2. **0 Wade Inn Rd 413.45.1-** Ms. LaBelle makes a motion to approve the well permit for 0 Wade Inn Rd 413.45.1. Mr. Ronzio

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

9. New Business:

- a. **609 Main St-** informal discussion with owner of requirements for reopening Becket Country Store. Anthony Wesolowski and Katie O'Keefe are considering leasing the property and opening a store/café. Mr. Ronzio states it is a non-conforming lot and they would require a full special permit from the Planning Board to re-open. Mr. Wesolowski states he had been told there was an approved septic plan for a tight tank. Ms. LaBelle states there would be no approvals for a tight tank for a restaurant/commercial kitchen.
- b. **1154 George Carter Road-** Title 5 buyer compliance – Attorney Lori Robbins states the home is seasonal and water has been turned off, making it impossible to conduct a Title 5 inspection. Ms. Robbins states the buyer plans to make improvements on the home to make it a year round property, and is willing to be responsible for the Title 5 inspection in the spring after the water is turned back on. Ms. LaBelle asks Mr. Fahey's opinion. Mr. Fahey states if the board wants to be assured that no one moves into the house the board could set a deadline for the Title 5 inspection. Ms. LaBelle states according to Massachusetts law the Title 5 has to be done before the house is sold. Mr. Fahey states the ultimate concern is someone moving into the house without a functioning septic system. Mr. Ronzio makes a motion to approve the sale of the property, the Title 5 must be done by May 30, 2022, the buyers will not occupy the home until the Title 5 is done, in the event of a failed Title 5 the owners will not occupy the home until a new septic system is installed. Ms. LaBelle seconds the motion. Mr. Ronzio votes in favor. Ms. LaBelle votes in favor. **Motion passes.**

10. Old Business:

- a. **29 Chester Road/Becket Motel:** Mr. Fahey states the board would be clear to sign off a COC when received.
- b. **100 Family Court** - Soil perc was scheduled 11/18/2021. Septic design pending.
- c. **233 Gentian Hollow Rd-**re-inspection scheduled 11/22/21. Certified mail returned extending deadline to 11/22/21 returned as unclaimed on 11/30/21. Continued.
- d. **173 King Richard Drive-** COC cannot be issued until the notarized easement agreement is filed with the Registry of Deeds.

11. Public Input

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- a. **30 Washington Street** – Ms. Jeanette Mindle states that sewage is coming into her yard at 36 Washington Street from the septic system at 30 Washington Street. Ms. Mindle states there is periodically an odor and black fluid is spurting out, most often after there appears to be a gathering of people at 36 Washington St. Ms. Mindle states that her son has photos but does not know how to get the photos off his mobile phone to provide to the board. Ms. Mindle states that Fred Sears, the designer of the septic system at 36 Washington Street, never told her there would be spillage from the system in her yard.
- b. Mr. Fahey states he did not observe any odor when he has made site visits, Mr. Fahey states there seem to be 2 issues: 1) the septic field is on Ms. Mindle's property, which would require a professional survey to confirm, 2) leakage from the system, which he has not seen during his visits.
- c. Ms. LaBelle asks Ms. Mindle to call when it happens again. Ms. Mindle states that she cannot get to that area of the yard every day, and it usually happens after there is company next door.
- d. Mr. Fahey states it might be better if Ms. Mindle calls when she sees a large number of people next door and we will come to look. Mr. Fahey gives his phone number to Ms. Mindle. Ms. LaBelle tells Ms. Mindle she will call her tomorrow and provide her phone number.
- e. **706 Main Street**- Donald Murray requests that the board consider an application for a Septic Disposal System. The house is set to be sold with papers scheduled to be passed at the end of December 2021. Mr. Fahey states he received the plans one hour prior to the meeting and is reviewing them now. Mr. Kulig states the plan is for an Eljen system and they are requesting a 1 foot separation from ground water. Ms. Lundberg states due to open meeting law requirements, the agenda for the December 1, 2021 meeting was posted before the application was received. Mr. Kulig states that the application was submitted online on December 1, 2021. Mr. Murray requests that the board schedule another meeting to review the application. Ms. LaBelle discusses possible times with Mr. Ronzio and Ms. Lundberg. Ms. LaBelle states the board will meet on Wednesday, December 8, 2021 at 5PM and it will be a Zoom only meeting.
- f. Mr. Colpitts asks for clarification of the well setback requirement for **0 King Richard Drive 216.285, 216.287, 216.288**. Mr. Ronzio states the well needs to be 30 feet setback from the property line.

12. Budget

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- a. Refund cancelled Title 5 witness fee- Ms. LaBelle will sign off when she comes to the office on Friday December 3, 2021.

13. Correspondence- none

14. Any other business to come before the Board

- a. **Portable Toilet Regulation-** continued
- b. **0 Sherwood Dr/Enchanted Cove-** Septic install done without construction permit. Mr. Fahey states the installation was inspected and it does look okay. Mr. Ronzio states the board should send a letter to the installer warning them about installing without a permit. Ms. LaBelle will compose a letter to the installer. The board decides that no COC will be issued until the paperwork is completed for the Disposal System Construction Permit and the installer name is added to the application.

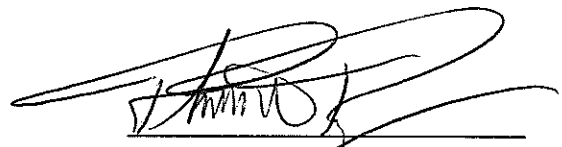
5. Adjournment: Next Board meeting will be on January 5, 2022 at 5:00 PM.

Mr. Ronzio makes a motion to adjourn. Ms. Labelle seconds the motion. Mr. Ronzio votes in favor. Ms. Labelle votes in favor. **Motion passes.**

Meeting is adjourned at 7:25 PM.

Meeting Minutes reviewed and approved on February 2, 2022 by:


Gale LaBelle, Chairperson


Robert Ronzio, Vice Chair

Laurel Burgwardt, Clerk